

CHAPTER 35

Presidential Messages and Executive Communications

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Presidential Messages and Executive Communications

§ 1. In General; Scope

This chapter takes up the rules and practice governing Presidential messages and executive communications to the Congress or to the House alone. The transmittal of the budget and related documents by the President to Congress is treated elsewhere in this work,⁽¹⁾ as are House resolutions of inquiry and executive responses thereto.⁽²⁾ Presidential messages dealing with vetoes and reasons for not approving legislation transmitted to the President are taken up more fully in another chapter,⁽³⁾ as are most messages pertaining to the assembly of Congress⁽⁴⁾ or to adjournments.⁽⁵⁾

The Constitution (art. II, § 3) dictates that the President shall from time to time give to the Congress information on the state of the Union, and recommend for consideration such measures as he shall judge necessary and expedient. Dates for submission of certain Presidential reports and messages are established by law.⁽⁶⁾

1. See Ch. 13, *supra*, and Ch. 41, *infra*.
2. See Ch. 15, *supra*.
3. See Ch. 24, *supra*.
4. See Ch. 1, *supra*.
5. See Ch. 40, *infra*.
6. For example, the date for the submission of the President's Budget for

There is a distinction between a Presidential message and an executive communication. A message from the President is addressed to the Congress, delivered through the door under seal, and laid before the House and read as soon as practicable after its reception. It sometimes requires House action. An executive communication, on the other hand, is addressed and delivered to the Speaker. It is usually referred by the Speaker to an appropriate committee without House action.⁽⁷⁾ Receipt of the communication is noted in the Executive Communications portion of the *Congressional Record* for

the next fiscal year has been established by law since 1974. See 31 USC §§ 1105, 1106. On one occasion, due to uncertainty over unfinished appropriations from the previous fiscal year and possible changes in mandatory programs and tax policy, the President satisfied 31 USC § 1105 by transmitting an incomplete budget and announcing his intention to subsequently submit supplementary material by a date certain. See 142 CONG. REC. 2335, 2336, 104th Cong. 2d Sess., Feb. 6, 1996. For more on the President's transmittal of the budget, see Ch. 13, *supra*, and Ch. 41, *infra*.

7. § 1.2, *infra*.

the day on which the message is referred.

The messenger delivering a Presidential message is introduced at the bar of the House with the words “Mr. [or Madam] Speaker, a message from the President.” The Speaker addresses the messenger as “Mr. [or Madam] Secretary.” Upon being recognized by the Speaker, the messenger of the President makes an announcement as follows:

I am directed by the President of the United States to deliver to the House a message in writing [or “sundry messages in writing” if there be more than one].

If the occasion requires, the messenger adds the following:

and to announce his approval of sundry House bills.⁽⁸⁾

There have been instances where, through inadvertence, non-relevant papers have been enclosed with a written message sent by the President; in such cases, he has been allowed to withdraw them.⁽⁹⁾

Receipt of Presidential Message as Privileged

§ 1.1 The receipt of a Presidential message is a matter

8. 5 Hinds’ Precedents § 6591.

9. *Id.* at § 6651.

of high privilege and such a message is to be laid before the House and read as soon as practicable, the precedents of the House not justifying its being held at the desk until another legislative day.

On June 24, 1968,⁽¹⁾ when the Chair announced he would lay before the House a message from the President, a parliamentary inquiry was raised as to the necessity of presenting a message in writing from the President on the date of its receipt:

The SPEAKER pro tempore.⁽²⁾ The Chair lays before the House a message from the President of the United States.

Mr. [Durward G.] HALL [of Missouri]. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Mr. Speaker, in the opinion of the Chair is it necessary that a Presidential message when delivered in writing be presented to the Members of the House immediately or could it be held until the next legislative day?

The SPEAKER pro tempore. The Chair will advise the distinguished

1. 114 CONG. REC. 18330, 90th Cong. 2d Sess. For an instance where the House by unanimous consent authorized the Speaker to postpone the referral of a message until a later day, see § 3.1, *infra*.
2. Carl Albert (OK).

gentleman that when the House is in session, a message from the President is laid before the House.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry, is this done by tradition, at the will of the Chair, or is it supported by a rule of the House?

The SPEAKER pro tempore. It is supported by the custom of the House and the provisions of the constitution.

Presidential Messages and Executive Communications Distinguished

§ 1.2 Unlike a Presidential message, which is delivered through the door and laid before the House, a communication from one of the executive departments or other element of the executive branch, including a communication from the President, is referred by the Speaker directly to the appropriate committee without announcement to the House.

On May 28, 1969,⁽¹⁾ in response to a parliamentary inquiry, Speaker John W. McCormack, of Massachusetts, stated that a communication from the President had on that date been referred to committee without an announcement to the House.

Mr. [H. R.] GROSS [of Iowa]. Mr. Speaker, a parliamentary inquiry.

1. 115 CONG. REC. 14217, 91st Cong. 1st Sess.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Is there pending on the Speaker's desk a communication from the Postmaster General?

The SPEAKER. The Chair will respond by saying that there is a communication from the President on the postal service system. It has been referred to the Committee on Post Office and Civil Service.

Mr. GROSS. Mr. Speaker, when was the referral made?

The SPEAKER. The Chair will advise the gentleman that the referral was made after it was received this afternoon, as are all other communications of a similar nature.

§ 1.3 Executive communications, although customarily referred to committee under the applicable House rule,⁽¹⁾ may, at the discretion of the Speaker, be handled in the same manner as Presidential messages and laid before the House.

On Feb. 1, 1964,⁽²⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a communication from the President transmitting an appendix to the budget. The appendix had been received in the Speaker's Rooms after the House adjourned on Jan. 31. The President had previously,

1. Rule XIV clause 2, *House Rules and Manual* § 873 (2007).

2. 110 CONG. REC. 1580, 1581, 88th Cong. 2d Sess.

on Jan. 21, 1964,⁽³⁾ transmitted a message to the House with the 1965 budget of the United States Government.⁽⁴⁾

The SPEAKER laid before the House the following communication from the President of the United States; which was read and referred to the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, February 1, 1964.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith the Budget of the U.S. Government, 1965—Appendix.

This appendix contains further information and detail concerning the proposals made in the Budget of the United States, 1965, which was transmitted with my message of January 21, 1964, to the Congress.

Respectfully yours,

LYNDON B. JOHNSON.

On Feb. 3, 1998,⁽⁵⁾ Speaker pro tempore Robert Goodlatte, of Virginia, laid before the House a communication from the President transmitting the budget for fiscal

year 1999, which had been received in the Speaker's Rooms on Feb. 2, when the House was not in session. Ordinarily, the President's budget is transmitted under seal as a Presidential message and delivered to the Clerk if the House is not in session.⁽⁶⁾

The SPEAKER pro tempore (Mr. GOODLATTE) laid before the House the following communication from the President of the United States:

THE WHITE HOUSE,
Washington, February 2, 1998.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to 31 U.S.C. 1105, attached is the Budget of the United States Government for Fiscal Year 1999.

Sincerely,

WILLIAM J. CLINTON.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV,⁽⁷⁾ executive communications were taken from

3. *Id.* at pp. 704–712.

4. *Parliamentarian's Note*: The communication transmitting the appendix was laid down in the manner of a message from the President in order to maintain consistency in the treatment of the budget and related documents.

5. 144 CONG. REC. 517, 642, 643, 105th Cong. 2d Sess.

6. For similar examples of messages transmitted to the Speaker (rather than the Clerk) when the House was not in session, see 144 CONG. REC. 1224, 105th Cong. 2d Sess., Feb. 11, 1998, and 126 CONG. REC. 9148, 9149, 96th Cong. 2d Sess., Apr. 28, 1980.

7. Now *House Rules and Manual* § 873 (2007).

the Speaker's table and referred as follows: . . .

6752. A communication from the President of the United States, transmitting the Budget of the United States Government, Fiscal Year 1999, pursuant to 31 U.S.C. 1105(a); (H. Doc. No. 105-177); to the Committee on Appropriations and ordered to be printed.

On Oct. 10, 1963,⁽⁸⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a communication from the President dealing with the sale of surplus American wheat to Russia, which message was read and referred to the Committee on Agriculture.

The SPEAKER laid before the House the following communication from the President of the United States, which was read, referred to the Committee on Agriculture, and ordered to be printed:

OCTOBER 10, 1963.

HON. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: In view of previous expression of congressional interest and concern, it is appropriate that I report to the Congress the reasons for this Government's decision not to prohibit the sale of surplus American wheat, wheat flour, feed grains, and other agricultural commodities for shipment to the Soviet Union and other Eastern European countries during the next several months. . . .

Sincerely,

JOHN F. KENNEDY.

8. 109 CONG. REC. 19283, 19284, 88th Cong. 1st Sess.

§ 1.4 In one instance, the Speaker announced to the House his receipt of an executive communication in advance of referring it to committee.

On Mar. 19, 2003,⁽¹⁾ Speaker J. Dennis Hastert, of Illinois, announced to the House his receipt the previous evening of a communication from the President consistent with a law authorizing the use of military force. In order to quell false speculation as to the contents of the communication, the Speaker inserted the text of the communication into the *Congressional Record* and announced his intention to refer it to the Committee on International Relations in the regular course.

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. HASTERT. Mr. Speaker, and for the information of all Members, I am in receipt of a report from the President pursuant to the Use of Force Resolution approved by the Congress last year.

This report summarizes diplomatic and other peaceful means pursued by the United States, cooperating with foreign countries and international organizations to obtain Iraqi compliance

1. 149 CONG. REC. 6530, 108th Cong. 1st Sess.

with all relevant United Nations Security Council resolutions regarding Iraq.

Pursuant to House Rule XII, I will refer this report to the Committee on International Relations. In addition, for the information of Members, I will submit the document in its entirety for printing into the CONGRESSIONAL RECORD. . . .

Any further announcement will be shared with the Congress.

THE WHITE HOUSE,
Washington, March 18, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Consistent with section 3(b) of the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243), and based on information available to me, including that in the enclosed document, I determine that:

(1) reliance by the United States on further diplomatic and other peaceful means alone will neither (A) adequately protect the national security of the United States against the continuing threat posed by Iraq nor (B) likely lead to enforcement of all relevant United Nations Security resolutions regarding Iraq; and

(2) acting pursuant to the Constitution and Public Law 107-243 is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.

Sincerely,

GEORGE W. BUSH.

§ 1.5 A letter from the President, addressed to the Speaker and suggesting that the contents be brought “to the attention of your colleagues,” was, by unanimous consent, read and made a part of the proceedings of the House.

On Dec. 12, 1967,⁽¹⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a letter addressed to him by the President.

The SPEAKER. Without objection, the Clerk will read a letter received by the Speaker from the President of the United States.

There was no objection.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, D.C., December 6, 1967.

Hon. JOHN MCCORMACK,
Speaker of the House,
U. S. House of Representatives.

DEAR JOHN: On the third anniversary of his administration—Mexican President Diaz Ordaz held a press conference in which he was asked to comment on the present state of United States-Mexican relations. . . .

I bring these words of tribute to the U.S. Congress and the American people to your attention, thinking that you might want to bring them to the attention of your colleagues in the House of Representatives.

1. 113 CONG. REC. 35938, 90th Cong. 1st Sess.

Sincerely,
LYNDON B. JOHNSON.

Message on Removal of Executive Officer

§ 1.6 The President has transmitted a message for the information of Congress giving his reasons for removing the Chairman of the Board of the Tennessee Valley Authority.

On Mar. 23, 1938,⁽¹⁾ the Speaker⁽²⁾ laid before the House the following message from the President; it was read, and, with the accompanying papers, referred to the Committee on Military Affairs and ordered printed.

To the Congress of the United States:

I transmit herewith for the information of the Congress my opinion setting forth the reasons which impelled me to remove Arthur E. Morgan, and my letter to him removing him, as a member and Chairman of the Board of the Tennessee Valley Authority. I further transmit the opinion of the Attorney General in regard to my power to remove for cause members of the Board of the Tennessee Valley Authority. I also append the transcript of the hearings which were laid before me on March 11, 18, and 21, 1938, and which I think merit the serious consideration of all those interested in the T. V. A. I have filed my letter to Arthur E. Mor-

1. 83 CONG. REC. 3952, 75th Cong. 3d Sess.
2. William B. Bankhead (AL).

gan and the transcript of the hearings, together with all exhibits marked for identification in the transcript, with the Secretary of State. . . .

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *March 23, 1938.*

Messages Relating to the Office of the President

§ 1.7 The President customarily notifies the Congress officially, by message, of the death of a former President.

On Jan. 23, 1973,⁽¹⁾ President Richard M. Nixon informed the House and Senate, by message, of the death of former President Lyndon Baines Johnson. When this message was laid before the House and read, it established a predicate for the adoption of a concurrent resolution⁽²⁾ permitting the remains of the former President to lie in state in the Rotunda of the Capitol. Following

1. 119 CONG. REC. 1838, 1839, 93d Cong. 1st Sess. For the message from President William J. Clinton officially informing the House of the death of former President Richard Milhous Nixon, see Ch. 38 § 5.2, *infra*. For the message from President George W. Bush officially informing the House of the death of former President Ronald Wilson Reagan, see Ch. 38 § 5.1, *infra*. There apparently was no message officially informing the House of the death of former President Gerald R. Ford on December 26, 2006.
2. H. Con. Res. 90, 93d Cong. 1st Sess.

the adoption of the concurrent resolution, the House agreed to a resolution⁽³⁾ expressing its profound sorrow on the death of the former President and authorizing the preparation of appropriate arrangements for House participation in the funeral.

The SPEAKER laid before the House the following message from the President of the United States:

To the Congress of the United States:

It is my sad duty to inform you officially of the death of Lyndon Baines Johnson, the thirty-sixth President of the United States. . . .

RICHARD NIXON.

THE WHITE HOUSE, *January 23, 1973.*

§ 1.8 A Presidential resignation is transmitted not to the Congress but to the Secretary of State.

Section 20 of title 3, United States Code, provides that the only evidence of a resignation of the office of President shall be an instrument in writing, subscribed by the President, and delivered to the office of the Secretary of State.⁽¹⁾

3. H. Res. 152, 93d Cong. 1st Sess.

1. President Richard M. Nixon thus submitted his resignation on Aug. 9, 1974 in this manner. See Ch. 14, § 2.1, *supra*.

Unwritten Presidential Messages

§ 1.9 When the Speaker, pursuant to an order of the House, appoints a committee to notify the President that the House has completed the business of the session and is prepared to adjourn, the President customarily responds by a verbal communication, which is transmitted to the House by an oral report given by a member of the committee.

Since the first Congress began the practice, upon nearing the end of their business for a session and preparing to adjourn *sine die*, of notifying the President of their intention to so adjourn,⁽¹⁾ the House has continued and formalized this practice, which is now more of a ritual than an actual notification. In the modern practice, as the House nears the completion of its business for a session, a House resolution is offered as privileged calling for the appointment of a two-Member committee to notify the President.⁽²⁾ The Speaker customarily appoints the Majority

1. See H. Jour. Vol. I, p. 129 or 1 Annals of Congress, p. 964, 1st Cong. 1st Sess., Sept. 29, 1789. See also Ch. 40, generally.

2. See, *e.g.*, 147 CONG. REC. 27600, 107th Cong. 1st Sess. Dec. 20, 2001;

and Minority Leaders to the committee, which then repairs to the Speaker's Office and at a convenient time places a telephone call to the President. Although the customary text of the House resolution specifies that the committee is to "join a similar committee of the Senate," in recent years the calls have been placed separately by the leaderships of the two bodies.

When the telephone call has been completed and the House is ready to adjourn, the "committee to notify the President" enters the Chamber by the west door, is announced by an officer of the House, and gives its report.⁽³⁾

Informal Visits to Congress

§ 1.10 On the occasion of an informal visit by the President to the House of Representatives, the House stood in recess and the President greeted Members, officers, and employees who filed through the well of the House.

120 CONG. REC. 41855, 93d Cong. 2d Sess., Dec. 20, 1974.

3. See, e.g., 139 CONG. REC. 32441, 103d Cong. 1st Sess., Nov. 26, 1993; 120 CONG. REC. 41857, 93d Cong. 2d Sess., Dec. 20, 1974. On occasion the House has adjourned *sine die* before receiving the committee's report. See, e.g., 146 CONG. REC. 27083, 27084, 106th Cong. 2d Sess., Dec. 15, 2000.

On Jan. 28, 1969,⁽¹⁾ the House⁽²⁾ stood in recess to receive, in the well of the House, the President of the United States:⁽³⁾

VISIT OF THE PRESIDENT

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. [Carl] ALBERT (of Oklahoma). Mr. Speaker, the House is highly honored today by a visit by the President of the United States. In view of that fact, Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess subject to the call of the Chair.

The SPEAKER.⁽⁴⁾ Without objection, it is so ordered.

There was no objection. . . .

RECESS

The SPEAKER. The House will now stand in recess subject to the call of

1. 115 CONG. REC. 1984, 91st Cong. 1st Sess.
2. The Senate was twice visited informally by President Harry S Truman. On one occasion, President Truman sat in the chair he formerly occupied as a Senator, and the other was on the anniversary of the death of his predecessor. He addressed the body on both occasions. 93 CONG. REC. 9804, 9805, 80th Cong. 1st Sess., July 23, 1947; 95 CONG. REC. 4360, 4361, 81st Cong. 1st Sess., Apr. 12, 1949.
3. See § 2.14, *infra*, for an instance in which the Speaker declined a request from the President to address the House in actual session on pending legislation.
4. John W. McCormack (MA).

the Chair and the bells will be rung 15 minutes before the House meets again.

Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

(At 12 o'clock and 4 minutes p.m., the President of the United States, escorted by the Majority Leader and the Minority Leader, entered the Chamber through the south door at the right of the Speaker's rostrum, and joined the Speaker in the Well of the House. The Minority Leader, the Majority Leader, the Speaker, and the President constituted the receiving line and Members formed in lines and filed into the Well to greet the President personally.)

(At 1 o'clock and 7 minutes p.m., the President, accompanied by the committee of escort and the Speaker, retired from the Hall of the House of Representatives.)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FASCELL) at 1 o'clock and 25 minutes p.m.

§ 2. Receipt and Reading of Presidential Messages

In recent years, the President's annual state of the Union address has been delivered in person at a joint session of Congress, although the President may transmit the message in writing.⁽¹⁾ The Presi-

1. See §§ 3.3, 5.4, 5.5, *infra*. All Presidents from Thomas Jefferson through William H. Taft submitted their annual messages in writing.

dent may choose to transmit messages dealing with other matters of national consequence to Congress in writing. Examples of messages the President has transmitted in writing have included: advising the House of his intention to abide by the law requiring a cessation of certain U.S. military operations,⁽²⁾ submitting reorganization plans,⁽³⁾ announcing a country's declaration of war against the United States,⁽⁴⁾ advising the House of the loss of an enrolled bill,⁽⁵⁾ and transmitting his nomination of a person for appointment to the office of Vice President.⁽⁶⁾

Messages may be received and read in the absence of a quorum.⁽⁷⁾

The Clerk of the House receives messages from the President delivered when the House is not in

2. 119 CONG. REC. 28088, 93d Cong. 1st Sess., Aug. 3, 1973.
3. 149 CONG. REC. 2305, 108th Cong. 1st Sess., Feb. 4, 2003; 93 CONG. REC. 4380-83, 80th Cong. 1st Sess., May 1, 1947; 86 CONG. REC. 6637, 76th Cong. 3d Sess., May 22, 1940.
4. 88 CONG. REC. 4787, 77th Cong. 2d Sess., June 2, 1942; 87 CONG. REC. 9665, 9666, 77th Cong. 1st Sess., Dec. 11, 1941.
5. See § 2.13, *infra*.
6. See § 3.18, *infra*.
7. Until the 95th Congress, a quorum was required for the reading of a message. *House Rules and Manual* § 55 (2007). See also § 2.11, *infra*.

session. A message received by the Clerk is transmitted by the Clerk to the Speaker in the sealed envelope as received from the President together with a cover letter indicating the time and place of receipt, as well as the nature of the message, if this has been indicated to the Clerk. The Speaker lays the message before the House as soon as feasible.⁽⁸⁾

Laying Message Before the House

§ 2.1 Messages from the President are laid before the House by the Speaker.

On June 17, 1969,⁽¹⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a message from the President, transmitting the President's annual report on salary comparability, and then his own directive implementing certain salary adjustments in the House.

The President's message was read and, together with accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

8. See §§ 2.6–2.9, *infra*.

1. 115 CONG. REC. 16195, 16196, 91st Cong. 1st Sess.

I forward herewith the annual comparison of Federal salaries with the salaries paid in private enterprise, as provided by section 5302 of title 5, United States Code. . . .

RICHARD NIXON.

THE WHITE HOUSE, *June 16, 1969.*

DIRECTIVE OF THE SPEAKER IMPLEMENTING SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following directive, which was read: . . .

Pursuant to the authority and duty vested in the Speaker of the United States House of Representatives by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206; 5 U.S.C. 5304, note) to implement the salary comparability policy set forth in section 5301 of title 5, United States Code, in the year 1969 for personnel of the House of Representatives, the rates of pay of personnel of the House of Representatives whose pay is disbursed by the Clerk of the House of Representatives are adjusted as follows: . . .

§ 2.2 A Presidential communication addressed to the Speaker urging support for a legislative measure pending before the House is sometimes laid before the House and read but not referred to any committee.

On Feb. 25, 1975,⁽¹⁾ a letter from President Gerald R. Ford, sent to the Speaker, was laid before the House for the information of Members.

The SPEAKER laid before the House the following communication from the President of the United States:

THE WHITE HOUSE

Washington, February 25, 1975.

Hon. CARL ALBERT

Speaker of the House of Representatives,

Washington, D.C.

DEAR MR. SPEAKER: I wish to convey to the House of Representatives my deep concern over the present critical situation in Cambodia. . . .

. . . Countries around the world who depend on us for support—as well as their foes—will judge our performance. It is in this spirit and with this sense of responsibility Mr. Speaker, that I urge rapid and favorable action on my request for additional assistance to Cambodia.

Sincerely,

GERALD R. FORD.

Practice in Committee of the Whole

§ 2.3 A message from the President is not received while the House is sitting as the Committee of the Whole, but

1. 121 CONG. REC. 4151, 94th Cong. 1st Sess. For examples of executive communications treated by the Speaker as Presidential messages, see § 1.3, *supra*.

the Committee may rise informally so that the House may receive the message; when it does so, the Chairman of the Committee does not report to the House but merely relinquishes the Chair to the Speaker, who recognizes the messenger of the President, receives the message, and then directs the Committee to resume its sitting.

On June 17, 1969,⁽¹⁾ a message in writing from the President was communicated to the House by one of his secretaries while the House was in the Committee of the Whole. The proceedings were as follows:

The CHAIRMAN.⁽²⁾ The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER assumed the chair.

The SPEAKER.⁽³⁾ The Chair will receive a message.⁽⁴⁾

1. 115 CONG. REC. 16182, 91st Cong. 1st Sess.
2. Jack B. Brooks (TX)
3. John W. McCormack (MA).
4. The Speaker will not, however, receive a message from the President when occupying the Chair to receive the report of the Chairman of the Committee of the Whole. See, *e.g.*,

MESSAGE FROM THE
PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on June 13, 1969 the President approved and signed bills of the House of the following titles:

H.R. 2718. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk[.]

Following receipt of the message, the Committee of the Whole resumed its sitting by direction of the Speaker.

Messages Received Pending a Vote

§ 2.4 Messages from the President may be received notwithstanding the operation of the previous question, and the Speaker does not direct the reading of the message pending the vote on a matter.

On Mar. 24, 1949,⁽¹⁾ the House resolved itself into the Committee of the Whole for further consideration of a bill. After some debate, the Committee rose. A motion to recommit was offered, and the

115 CONG. REC. 9705, 91st Cong. 1st Sess., Apr. 21, 1969.

1. 95 CONG. REC. 3114, 3115, 81st Cong. 1st Sess.

previous question was ordered thereon. At this point a message in writing from the President was communicated to the House together with other information. A parliamentary inquiry was propounded as to the disposition of the Presidential message and whether it bore on the subject at hand. The Chair indicated that the business then before the House should be completed before taking up the message.⁽²⁾

The proceedings were as follows:

Mr. [John E.] RANKIN [of Mississippi]. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by one of his secretaries, who also informed the House that on March 24, 1949, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 89. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

2. For a review of the practice during the 18th and 19th centuries, when Presidential messages often lay unread for lengthy periods of time, see 5 Hinds' Precedents §§ 6635-6649.

PENSIONS FOR VETERANS OF WORLD
WAR I AND WORLD WAR II

Mr. [Francis H.] CASE [of South Dakota]. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore.⁽³⁾ The gentleman will state it.

Mr. CASE. Mr. Speaker, would the Chair be in position to state whether the communication from the President just received bears upon the pending matter?

The SPEAKER pro tempore. At this point the Chair would not say.

The question is on the motion to recommit offered by the gentleman from Texas [Mr. TEAGUE].

Following an announcement of the results of the vote on the motion, the Speaker laid before the House the message from the President; it was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce. The message from the President was as follows:

To the Congress of the United States:

In compliance with the provisions of section 10 (b) (4) of the Railroad Retirement Act, approved June 24, 1937, and of section 12 (1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I transmit herewith for the information of the Congress the report of the Railroad Retirement Board for the fiscal year ended June 30, 1948.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 24, 1949.*

3. John W. McCormack (MA).

***Authorizing Clerk to Receive
Messages During Adjournments***

§ 2.5 Before such authority was specifically granted by rule, most concurrent resolutions providing for an adjournment *sine die*, or for an adjournment to a day certain more than three days hence, contained language specifically stating that the Clerk of the House was authorized to receive messages from the President during the adjournment (with similar authority generally also provided by the Senate for the Secretary of the Senate) and, if not included in the adjournment resolution, such specific authority generally was obtained in each House by unanimous consent.

Rule II clause 2 now authorizes the Clerk to receive messages from the President when the House is not in session.⁽¹⁾

As an example of the standard type of concurrent resolution of adjournment that made clear the Clerk's authority to receive messages from the President during a

1. *House Rules and Manual* § 652 (2007).

period of adjournment, the proceedings of Dec. 15, 1977,⁽²⁾ are shown here:

Mr. [James C.] WRIGHT [Jr., of Texas]. Mr. Speaker, I send to the Speaker's desk a privileged concurrent resolution (H. Con. Res. 442) authorizing the Secretary of the Senate and the Clerk of the House to receive messages, including veto messages, from the President of the United States during adjournment of the two Houses.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 442

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, December 15, 1977, they shall stand adjourned sine die.

SEC. 2. During the adjournment of both Houses of Congress as provided in section 1, the Secretary of the Senate and the Clerk of the House, respectively be, and they hereby are, authorized to receive messages, including veto messages, from the President of the United States.

The concurrent resolution was agreed to.

Alternatively, such authority sometimes was clarified by unanimous consent, as the proceedings of Nov. 21, 1980,⁽³⁾ illustrate:

Mr. [Paul] SIMON [of Illinois]. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, De-

cember 1, 1980, the Clerk be authorized to receive messages from the President and the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER.⁽⁴⁾ Is there objection to the request of the gentleman from Illinois?

There was no objection.

Parliamentarian's Note: This type of request became standard practice after the decision in *Kennedy v Sampson* in 1974.⁽⁵⁾ In that case, the United States Court of Appeals for the District of Columbia Circuit held that a bill could not be pocket-vetoed by the President during an adjournment of more than three days to a day certain if the House of origin had made arrangements for the receipt of Presidential messages.⁽⁶⁾

Messages Received During Adjournment

§ 2.6 The Clerk, as the agent of the House, is authorized to receive messages from the President while the House is in recess or after the House has adjourned for a legislative day; when such a message is received, it is transmitted by the Clerk to the

2. 123 CONG. REC. 38948, 95th Cong. 1st Sess.

3. 126 CONG. REC. 30555, 96th Cong. 2d Sess.

4. Thomas P. O'Neill, Jr. (MA).

5. 511 F.2d 430 (D.C. Cir. 1974).

6. For further discussion, refer to Ch. 24 § 17, *supra*, and *House Rules and Manual* § 113 (2007).

Speaker (with a cover letter detailing the time and place of receipt of the message), who then lays it before the House at the earliest opportunity.

On Feb. 20, 1969,⁽¹⁾ the Speaker⁽²⁾ laid before the House a letter from the Clerk, advising that the Clerk had, after the House adjourned the previous evening, received a message from the President. The proceedings were as follows:

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives, said to contain a message from the President wherein he transmits a special study regarding the administration of the Headstart program. This envelope was received in the Office of the Clerk at 3:55 p.m. on Wednesday, February 19, 1969.

Sincerely,

PAT JENNINGS,
Clerk.

The Speaker then laid before the House the message from the President, which was read and referred to the appropriate committee.

1. 115 CONG. REC. 4088, 91st Cong. 1st Sess.
2. John W. McCormack (MA).

§ 2.7 The Clerk notifies the Speaker when he has, during an adjournment, received a message from the President addressed to the House or to the Speaker, and the Speaker lays the notification and message before the House when the House reconvenes. If the Clerk is in possession of such knowledge, he notifies the Speaker of the contents of the message.

On Sept. 5, 1945,⁽¹⁾ the House having ended its August recess, the Speaker⁽²⁾ laid before the House the following communication from the Clerk:

SEPTEMBER 5, 1945.

The SPEAKER,
The House of Representatives.

SIR: The accompanying sealed envelope from the White House addressed to the House of Representatives, was received in this office at 11:30 o'clock antemeridian, August 30, 1945.

Respectfully yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

1. 91 CONG. REC. 8322, 79th Cong. 1st Sess.
2. Sam Rayburn (TX).

To the Congress of the United States of America:

I am transmitting herewith the twentieth report of operations under the Lend-Lease Act for the period ending June 3, 1945. . . .

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 30, 1945.*

§ 2.8 A veto message from the President addressed to the Speaker and received in the Office of the Clerk after adjournment of the House is laid before the House when it reconvenes.

On Apr. 6, 1948,⁽¹⁾ the Speaker pro tempore⁽²⁾ laid before the House the following communication from the Clerk:

APRIL 6, 1948.

*The honorable the SPEAKER
House of Representatives.*

SIR: The attached sealed envelope, indicating on its face that it contains a message from the President of the United States, and addressed to the Speaker of the House of Representatives of the United States, was received in the office of the Clerk on April 5, 1948.

Respectfully yours,

JOHN ANDREWS,

Clerk of the House of Representatives.

1. 94 CONG. REC. 4133, 4134, 80th Cong. 2d Sess.
2. Earl C. Michener (MI).

VENDORS OF NEWSPAPERS OR MAGAZINES—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 594)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H.R. 5052, a bill to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and the Internal Revenue Code.

This bill is identical with H.R. 3997, which I declined to approve in August 1947. . . .

For these reasons, I am compelled to return H.R. 5052 without my approval.

HARRY S. TRUMAN.

THE WHITE HOUSE, *April 5, 1948.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the message and the bill will be printed as a House document.⁽³⁾

§ 2.9 The President's economic report was received by the Clerk on a day when the House was not in session; the report remained in its sealed envelope until laid before the House at its next meeting.

On Jan. 22, 1962,⁽¹⁾ Speaker Sam Rayburn, of Texas, laid before the House a letter from the

3. For discussion of House consideration of veto messages, see Ch. 24, §§ 17–23, *supra*.

1. 108 CONG. REC. 577–584, 87th Cong. 2d Sess.

Clerk transmitting a communication from the President of the United States that was received by the Clerk when the House was not in session:

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 22, 1962.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 1:15 p.m. on January 20, 1962, and said to contain the Economic Report of the President together with the annual report of the council of Economic Advisers.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

ECONOMIC REPORT OF THE
PRESIDENT (H. DOC. NO. 278)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Joint Economic Committee and ordered to be printed with illustrations:

To the Congress of the United States:

I report to you under the provisions of the Employment Act of 1946[.] . . .

JOHN F. KENNEDY

Parliamentarian's Note: The economic report of the President was, under former provisions of 15 USC § 1022, to be transmitted to Congress "not later than Jan. 20 of each year."⁽²⁾ Jan. 20, 1962, fell on a Saturday—a day when the House would not be in session because it had adjourned on Thursday, Jan. 18, until Monday, Jan. 22. The Clerk received the report for the House on Jan. 20. It remained sealed until laid before the House on Jan. 22, thereby insuring that there would be no premature disclosure or release of the report.

Interrupting Reading of Message

§ 2.10 The Chair declines to recognize Members to submit parliamentary inquiries during the reading of the President's message.

On Jan. 21, 1946,⁽¹⁾ the Speaker pro tempore⁽²⁾ laid before the House a message from the President.

A message in writing from the President of the United States was communicated to the House by . . . one of his secretaries. . . .

-
2. 15 USC § 1022 now requires this report "not later than 10 days after the submission of the budget under section 1105(a) of title 31."
 1. 92 CONG. REC. 164, 79th Cong. 2d Sess.
 2. John W. McCormack (MA).

The SPEAKER pro tempore laid before the House the message of the President on the state of the Union and transmitting the Budget. . . .

Mr. [Robert F.] RICH [of Pennsylvania] (interrupting the reading of the message). Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The Clerk read a message from the President of the United States, and the Chair feels that an inquiry at this time should not be entertained.⁽³⁾

Parliamentarian's Note: This message contained approximately 25,000 words and took about three hours to read.

§ 2.11 Under the earlier practice (before the 95th Congress), quorum calls could interrupt the reading of the President's message to Congress on the state of the Union.

On Jan. 21, 1946,⁽¹⁾ Speaker pro tempore John W. McCormack, of Massachusetts, laid before the House the message of the President on the state of the Union and transmitting the budget. The reading of this lengthy message was interrupted by two quorum

calls.⁽²⁾ The proceedings were as follows:

Mr. [Robert F.] RICH [of Pennsylvania]. Mr. Speaker, I think it is wise that the membership of the House hear the President's message, and I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. [Albert A.] GORE [of Tennessee]. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll. . . .

The SPEAKER pro tempore. . . . [A] quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

The Clerk resumed the reading of the President's message.

Mr. RICH (interrupting the reading of the President's message). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. [Adolph J.] SABATH [of Illinois]. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll. . . .

The SPEAKER pro tempore. . . . [A] quorum [is present].

By unanimous consent, further proceedings under the call were dispensed with.

The Clerk concluded the reading of the President's message.

3. Portions of a Presidential message may be reread by the Clerk by unanimous consent. See 113 CONG. REC. 22447, 22448, 90th Cong. 1st Sess., Aug. 14, 1967.

1. 92 CONG. REC. 164, 165, 79th Cong. 2d Sess.

2. For the text of this message, see *Id.* at pp. 136–155 [Senate proceedings].

Parliamentarian's Note: Rule XX clause 7(a), adopted in the 93d Congress and amended in the 95th Congress, prohibits the Speaker from recognizing a Member for a point of order that a quorum is not present unless a question is being put, although under clause 7(b), the Speaker has the discretion to recognize a Member to move a call of the House.⁽³⁾

Effect on Former Discharge Procedure

§ 2.12 The reading of a message from the President did not prevent the subsequent operation of the so-called 21-day rule (former Rule XI clause (2)(c)), which was repealed in the 90th Congress.

On Jan. 23, 1950,⁽¹⁾ Speaker Sam Rayburn, of Texas, laid before the House a message from the President, and the following ensued:

The SPEAKER. The Chair lays before the House a message from the President of the United States, which the Clerk will read.

Mr. [Vito] MARCANTONIO [of New York]. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

3. *House Rules and Manual* §§ 1027, 1028 (2007).

1. 96 CONG. REC. 769, 81st Cong. 2d Sess.

Mr. MARCANTONIO. Mr. Speaker, will the reading of the President's message prevent the operation of the discharge rule today?

The SPEAKER. Not at all.⁽²⁾

Message Relating to Lost Bill

§ 2.13 Where the President sent a message to the House advising it that an enrolled bill delivered to him had been lost, the Speaker and Vice President were authorized by concurrent resolution to sign a duplicate copy, which was transmitted to the President by the Clerk.

On May 15, 1935,⁽¹⁾ after letters from the President and Secretary of the Interior were read, advising of the loss of an enrolled bill, procedures were adopted by which a duplicate bill could be sent to the President. The letters were laid before the House by the Speaker⁽²⁾ and referred to the Committee on the Territories. The proceedings were as follows:

To the House of Representatives,

I am in receipt of the following letter from the Secretary of the Interior advising of the loss of enrolled bill H.R.

2. For the 21-day discharge rule, its history and effect, see Ch. 21, § 18.52, *supra*.
1. 79 CONG. REC. 7598, 7633, 74th Cong. 1st Sess.
2. Joseph W. Byrns (TN).

6084, authorizing a bond issue for the town of Ketchikan, Alaska:

I regret to report the loss of enrolled bill H.R. 6084, authorizing a bond issue of Ketchikan, Alaska, which was delivered to my office on May 3 by a messenger from the White House. . . . I recommend that you ask the Congress to authorize the preparation of a duplicate. The last approval day is tomorrow, May 15.

In the circumstances, I recommend that a duplicate bill be authorized by concurrent resolution.

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, May 15, 1935.

Mr. [Anthony U.] DIMOND [of Alaska]. Mr. Speaker, I offer the following concurrent resolution and ask for its immediate consideration.

The Clerk read as follows:

HOUSE CONCURRENT RESOLUTION 21

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill H.R. 6084, entitled "An act to authorize the city of Ketchikan, Alaska, to issue bonds in any sum not to exceed \$1,000,000 for the purpose of acquiring the electric light and power, water, and telephone properties of the Citizens' Light, Power & Water Co., and to finance and operate the same, and validating the preliminary proceedings with respect thereto, and for other purposes", and that the Clerk of the House be directed to transmit the same to the President of the United States.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

Mr. [Bertrand H.] SNELL [of New York]. Reserving the right to object, what department was this lost in?

Mr. DIMOND. According to the letter, it was lost in the Department of the Interior.

After the resolution was agreed to by the House and the Senate,⁽³⁾ the following communication was laid before the House:

MAY 15, 1935.

The SPEAKER,
House of Representatives, Washington, D. C.

SIR: Pursuant to the provisions of House Concurrent Resolution 21, Seventy-fourth Congress, I have this day presented to the President of the United States the signed duplicate copy of the enrolled bill, H.R. 6084, entitled "An act to authorize the city of Ketchikan, Alaska, to issue bonds in any sum not to exceed \$1,000,000 for the purpose of acquiring the electric light and power, water, and telephone properties of the Citizens' Light, Power & Water Co., and to finance and operate the same, and validating the preliminary proceedings with respect thereto, and for other purposes."

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

By H. NEWLIN MEGILL.

Presidential Request to Address the House

§ 2.14 Consistent with the doctrine of separation of powers

3. Senate agreement to H. Con. Res. 21, see 79 CONG. REC. 7551, 74th Cong. 1st Sess., May 15, 1935.

and the precedents of the House, the Speaker has declined a request of the President to address the House in actual session on legislation upon which the House was about to vote, the traditional alternative of a joint session being available to the President.

On June 24, 1986,⁽¹⁾ Rep. Charles Roemer, of Louisiana, took the floor in debate to defend the Speaker's decision not to invite President Ronald W. Reagan to address the House, in session, prior to a vote on a legislative issue.

The President's views were then addressed to the Speaker in a communication, which was laid before the House and read, before the floor action on the issue.⁽²⁾

COMMUNICATION FROM THE
PRESIDENT OF THE UNITED
STATES CONCERNING THE
QUESTION OF PROVIDING AS-
SISTANCE TO FREEDOM FIGHT-
ERS IN NICARAGUA (H. Doc. No.
99-237)

The SPEAKER pro tempore (Mr. [GEORGE P.] MILLER of California) laid before the House the following commu-

nication from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence and ordered to be printed:

THE WHITE HOUSE
Washington, June 24, 1986.

The Honorable THOMAS P. O'NEILL,
Jr.,

*Speaker of the House of Representa-
tives, Washington, DC 20515*

DEAR MR. SPEAKER: I am transmitting in writing my remarks that I had hoped to deliver to members of the House of Representatives today. It was my desire to speak directly to the members of the House of Representatives to emphasize the importance of achieving a bipartisan approach to address the urgent question of providing assistance to the freedom fighters in Nicaragua. . . .

THE OVAL OFFICE,
June 24, 1986.

My fellow citizens. The matter that brings me before you today is a grave one and concerns my most solemn duty as President. It is the cause of freedom in Central America and the national security of the United States. Tomorrow the House of Representatives will debate and vote on this issue. I had hoped to speak directly and at this very hour to Members of the House of Representatives on this subject, but was unable to do so. Because I feel so strongly about what I have to say, I have asked for this time to share with you—and members of the House—the message I would have otherwise given.

1. 132 CONG. REC. 15184, 99th Cong. 2d Sess. For instances of informal visits by the President to Congress, see § 1.10, *supra*.
2. *Id.* at p 15186.

Parliamentarian's Note: In recognition of the doctrine of separation of powers, the Speaker had suggested that the Congress, by concurrent resolution, invite the President to address the two Houses in joint session “for the purpose of receiving any communication he might be pleased to make.” The President refused the invitation. See also the proceedings of Nov. 13, 1969, where President Richard M. Nixon addressed the House, but not on pending legislation.⁽³⁾

§ 3. Referral

Rule XIV clause 2 provides that Presidential messages are to be referred to the appropriate committees without debate.⁽¹⁾ Accordingly, the referral of a Presidential message to the committee having jurisdiction is usually made by order of the Speaker without debate and without motion from the floor. However, a Presidential message may be referred by the House itself on mo-

3. 115 CONG. REC. 34080, 34081, 91st Cong. 1st Sess. President Nixon's visit was for the stated purpose of thanking Members who had sponsored a resolution calling for a just peace in Vietnam.

1. See *House Rules and Manual* § 873 (2007).

tion.⁽²⁾ A motion by a Member to make such a referral is privileged. Such a referral may be to a select committee as well as to a standing committee.⁽³⁾

A Presidential message may be divided for referral to more than one committee.⁽⁴⁾

Under Rule XII clause 8,⁽⁵⁾ estimates of appropriations and other communications from executive departments are referred by the Speaker as provided in Rule XIV clause 2.⁽⁶⁾

Timing of Referral

§ 3.1 Although the Chair lays before the House a message from the President on the day received, the House on occasion, by unanimous consent, has directed that the referral of the message be postponed until a later day.

On Feb. 3, 1986,⁽¹⁾ the referral of a comprehensive message submitted by the President under the

2. 8 Cannon's Precedents § 3348.

3. *House Rules and Manual* § 875 (2007).

4. 8 Cannon's Precedents §§ 3348, 3349.

5. *House Rules and Manual* § 827 (2007).

6. *Id.* at § 873.

1. 132 CONG. REC. 1347, 99th Cong. 2d Sess. For the principle that the

provisions of a budget law was postponed until the next day by unanimous consent so that the Speaker could ascertain the proper committees of jurisdiction.

REPORT ON ISSUANCE OF ORDER
ON EMERGENCY DEFICIT CON-
TROL MEASURES FOR FISCAL
YEAR 1986—MESSAGE FROM
THE PRESIDENT OF THE
UNITED STATES

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read.

(For message, see proceedings of the Senate of today, Monday, February 3, 1986.)

The SPEAKER pro tempore (Mr. MAZZOLI).⁽²⁾ Without objection, the Chair's referral of the President's message will be postponed until tomorrow.

There was no objection.

*Referral to Committee of the
Whole*

**§ 3.2 The President's annual
state of the Union message is
referred to the Committee of
the Whole House on the state
of the Union.**

On Feb. 4, 1997,⁽¹⁾ Rep. James E. Rogan, of California, offered

Chair lays a message before the House on the day received, see § 1.1, *supra*.

2. Romano L. Mazzoli (KY).

1. 143 CONG. REC. 1410, 105th Cong. 1st Sess. See also, *e.g.*, 107 CONG.

the customary motion that the message of the President be referred to the Committee of the Whole House on the state of the Union:

Mr. ROGAN. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

**§ 3.3 Where the President
chooses to submit a state of
the Union address in writing,
rather than delivering it in
person, the message is laid
before the House, read, and
referred to the Committee of
the Whole House on the state
of the Union.**

President Richard M. Nixon, having given his Inaugural Address on Jan. 20, 1973, decided not to make another major address so soon thereafter.

President Nixon's state of the Union message of Feb. 5, 1973,⁽¹⁾ the first such message delivered in writing in many years, was treated as follows:

The SPEAKER⁽²⁾ laid before the House the following message from the President of the United States; which

REC. 1427-31, 87th Cong. 1st Sess., Jan. 30, 1961.

1. 119 CONG. REC. 3206, 93d Cong. 1st Sess.

2. Carl Albert (OK).

was read and referred to the Committee of the Whole House on the State of the Union[.] . . .

§ 3.4 The President's message on the Nation's economy, delivered in person, was, by unanimous consent, referred to the Committee of the Whole House on the state of the Union and ordered printed.

On Sept. 9, 1971,⁽¹⁾ when the Members of Congress and invited guests were seated, and President Richard M. Nixon had been escorted to the Clerk's desk, the Speaker presented the President.

The PRESIDENT. Mr. Speaker, Mr. President, my colleagues in the Congress, our distinguished guests: I come before this special joint session to ask the cooperation of the Congress in achieving a great goal: a new prosperity without war and without inflation.

Following a brief recess, Rep. Hale Boggs, of Louisiana, asked unanimous consent that the message of the President be referred:

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

The SPEAKER.⁽²⁾ Is there objection to the request of the gentleman from Louisiana?

There was no objection.

§ 3.5 In the 74th Congress, a message of the President relating to a number of matters was referred to the Committee of the Whole House on the state of the Union although the recommendations contained in the message fell within the jurisdiction of several committees.

On Jan. 31, 1935,⁽¹⁾ Speaker Joseph W. Byrns, of Tennessee, laid before the House the following message from the President of the United States:

To the Congress of the United States:

I am submitting herewith the report of the Federal Aviation Commission appointed by me last summer by direction of the Seventy-third Congress. The Commission has made a diligent study of the broad subject of aviation conditions here and elsewhere and emphasizes the excellent American progress in this new form of transportation. The Commission has also studied problems of national defense, of procurement policies, and of the extension of air-

1. 117 CONG. REC. 31125-29, 92d Cong. 1st Sess.
2. Carl Albert (OK).

1. 79 CONG. REC. 1327, 1328, 74th Cong. 1st Sess. For similar referrals, see 148 CONG. REC. 10575-77, 107th Cong. 2d Sess., June 18, 2002 (H. Doc. No. 107-227, legislative proposal to create a Department of Homeland Security); 114 CONG. REC. 3955-61, 90th Cong. 2d Sess., Feb. 26, 1968 (H. Doc. No. 261, message concerning the crisis in American cities).

transport services. I invite your attention to these comprehensive surveys. . . .

The Commission further recommends the creation of a temporary air commerce commission. In this recommendation I am unable to concur. I believe that we should avoid the multiplication of separate regulatory agencies in the field of transportation. Therefore, in the interim before a permanent consolidated agency is created or designated over transportation as a whole, a division of the Interstate Commerce Commission can well serve the needs of air transportation. In the granting of powers and duties by the Congress, orderly government calls for the administration of executive functions by those administrative departments or agencies which have functioned satisfactorily in the past, and, on the other hand, calls for the vesting of judicial functions in agencies already accustomed to such powers. It is this principle that should be followed in all of the various aspects of transportation legislation.

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *January 31, 1935.*

Before the Speaker's referral of the message, the following occurred:

Mr. [Schuyler Otis] BLAND [of Virginia]. Mr. Speaker, before the message is referred, I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLAND. The message relates to aviation matters that come within the jurisdiction of the Committee on Merchant Marine, Radio, and Fisheries. It

also relates to matters that come before the Interstate Commerce Commission. It seems to me that it is highly objectionable that a message of this kind should be referred to one committee.

The SPEAKER. The Chair has the idea of referring the message to the Committee of the Whole House on the state of the Union, and later when the bills are introduced they will be referred to the proper committees. The message, with the accompanying papers, will be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.⁽²⁾

Message Divided for Referral

§ 3.6 A message from the President has been divided for referral, on motion by a Member, between the Committee of the Whole and the Committee on Appropriations.

On Jan. 21, 1946,⁽¹⁾ at the conclusion of the reading by the Clerk of the President's annual message, it was moved that the message and its accompanying report be referred to the Committee of the Whole House on the state of the Union and that the portion of the President's message dealing with the budget be referred to the Committee on Appropriations.

The proceedings were as follows:

2. Before the 94th Congress, the Speaker could not divide a measure for referral. See *House Rules and Manual* §816 (2007).
1. 92 CONG. REC. 165, 79th Cong. 2d Sess.

Mr. [J. Percy] PRIEST [of Tennessee]. Mr. Speaker, I move that the President's message and the accompanying report from the Director of War Mobilization and Reconversion be referred to the Committee of the Whole House on the State of the Union and ordered to be printed, and so much of the President's message as relates to the budget be referred to the Committee on Appropriations and ordered to be printed.

The SPEAKER pro tempore.⁽²⁾ The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

§ 3.7 An executive communication from the President transmitting a comprehensive legislative proposal for energy policy reform was divided by titles for initial referral, and the Speaker referred the various portions to four House committees.

A communication from the President proposing comprehensive energy legislation was laid before the House by Speaker pro tempore John J. McFall, of California, on Jan. 31, 1975.⁽¹⁾ The communication was referred on Feb. 4,⁽²⁾ when the Speaker exercised his authority under (current) Rule XII clause 2 to divide the

communication among several committees. Dividing a Presidential or other communication for referral is unusual, but is permitted under the Speaker's referral authority.

The communication was laid before the House on Jan. 31, 1975, as follows:

The SPEAKER pro tempore laid before the House the following communication from the President of the United States; which was read, the summary, without objection, ordered to be printed in the RECORD:

THE WHITE HOUSE,
Washington, January 30, 1975.

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C. 20515

DEAR MR. SPEAKER: In my state of the Union address earlier this month, I outlined the dimensions of our inter-related economic and energy problems and proposed comprehensive and far-reaching measures for their solution.

The measures I described included both Executive and Congressional actions. Because further delay is intolerable, I have already taken administrative action to deal with our energy problems, including issuance of a proclamation to impose increased fees on imported oil. The Secretary of the Treasury has already presented my detailed energy tax proposals to the House Ways and Means Committee.

I am enclosing a proposed omnibus energy bill—the Energy Independence Act of 1975—which, along with the tax proposals already presented, will provide the combined authorities that are

2. John W. McCormack (MA).

1. 121 CONG. REC. 1975, 1976, 94th Cong. 1st Sess.

2. *Id.* at p. 2253.

necessary if we are to deal seriously and effectively with the Nation's pressing energy problems. . . .

The 13 titles of this bill, coupled with appropriate tax measures, are essential to the eventual attainment of our common goal of energy independence. Prompt action on all these measures is essential. . . .

Sincerely,

GERALD R. FORD.

The communication was referred on Feb. 4, 1975, as follows:

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

234. A letter from the President of the United States, transmitting a draft of proposed legislation to increase domestic energy supplies and availability by: authorizing production of the naval petroleum reserves; establishing a National Strategic Petroleum Reserve; assuring increased supplies of natural gas at reasonable prices; amending and extending the Energy Supply and Environmental Coordination Act of 1974; amending the Clean Air Act; alter regulatory practices and procedures of governing electric utilities assuring timely siting consideration, approval and construction of necessary energy facilities; and preventing foreign oil producing countries from undermining efforts to develop petroleum resources; to restrain energy demand by: providing national energy conservation standards for new residential and commercial buildings; authorizing the Federal Energy Administration to assist States in winterizing dwellings of low-income persons; and providing for the labeling

of major appliances and motor vehicles; to prepare for energy emergencies by: providing standby energy authorities and implementing the International Energy Program; and for other purposes (H. Doc. No. 94-42); divided and initially referred as follows: title I to the Committee on Armed Services; titles II, III, IV, V, VI, VII, VIII, XII, and XIII to the Committee on Interstate and Foreign Commerce; title IX to the Committee on Ways and Means; and titles X and XI to the Committee on Banking, Currency and Housing, and ordered to be printed.

In recent years the Speaker has referred communications from the President transmitting proposed legislation jointly to all committees having jurisdiction over the legislation. The following excerpt from the *Congressional Record* of July 10, 1989,⁽³⁾ indicates one such referral:

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows: . . .

1425. A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Government-Wide Ethics Act of 1989 to prohibit the acceptance of honoraria by Members of Congress (H. Doc. No. 101-80); jointly to the Committees on House Administration, the Judiciary, and Post Office and Civil Service and ordered to be printed.

§ 3.8 A comprehensive sequestration order under a budget

3. 135 CONG. REC. 14015, 14016, 101st Cong. 1st Sess.

law was referred to “all standing committees” and the Permanent Select Committee on Intelligence, and the House gave the Speaker a special authority to refer myriad executive communications related to the message and to print all as part of a document in any form he might prescribe.

On Feb. 4, 1986,⁽¹⁾ the President submitted a “sequestration order” under the Balanced Budget and Emergency Deficit Control Act of 1985.⁽²⁾

The President’s message was relatively brief, but the accompanying and incorporated documentation, emanating from all government agencies affected by the order, was voluminous. Some elements of that documentation had not been received on the date of the message.

The House, by unanimous consent, authorized the Speaker to incorporate all the documents in one publication.

1. 132 CONG. REC. 1463, 99th Cong. 2d Sess.
2. This part of the Act was later declared unconstitutional and the order was voided. Generally, see Ch. 41, *infra*.

REPORT ON ISSUANCE OF ORDER ON EMERGENCY DEFICIT CONTROL MEASURES FOR FISCAL YEAR 1986—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—H. DOC. NO. 160

Mr. [Thomas S.] FOLEY [of Washington]. Madam Speaker, I ask unanimous consent that the message of the President pursuant to section 252(a)(5) of the Public Law 99-177, together with all the related communications transmitted to the Speaker by Federal departments and establishments pursuant to OMB directive 86-7, January 16, 1986, promulgated pursuant to Public Law 99-177, be printed as one House document in such form as may be determined by the Speaker, and that the Speaker be authorized and directed to refer such message and the accompanying communications as if the communications had been submitted as part of the message.

The SPEAKER *pro tempore*.⁽³⁾ Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER *pro tempore*. The message is referred to all standing committees established pursuant to clause 1, rule X, and to the Permanent Select Committee on Intelligence.

(For message, see proceedings of the Senate of yesterday, Monday, February 3, 1986, at p. 1397.)

§ 3.9 The Speaker has referred a Presidential message to the Union Calendar and referred the accompanying documents to committees.

3. Charles Rose (NC).

On May 23, 1977,⁽¹⁾ the President included in a message to the Congress several executive communications dealing with the preservation of wildlife, including proposals for the establishment of national wilderness areas and the designation of several rivers as part of the Wild and Scenic Rivers System. The several legislative proposals were included as separate legislative proposals to implement a broad national policy affecting wildlife and the environment. The policy enunciated in the message fell within the jurisdiction of several committees;⁽²⁾ hence the Speaker felt the appropriate reference was to the Committee of the Whole House on the state of the Union. The implementing proposals were referred as executive communications to the Committee on Interior and Insular Affairs, which had specific jurisdiction over the law giving the President the authority to designate waters as part of the Wild and Scenic Rivers System and Federal lands as part of the National Wilderness System.

1. 123 CONG. REC. 15910, 15915, 93d Cong. 1st Sess.

2. Before the 94th Congress, the Speaker could not refer a measure to more than one committee. See *House Rules and Manual* §816 (2007).

PRESERVATION OF THE WILDERNESS, WILDLIFE, NATURAL AND HISTORICAL RESOURCES; EFFECTS OF POLLUTION, TOXIC CHEMICALS AND DAMAGE CAUSED BY DEMAND FOR ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 95-160)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Union Calendar and ordered to be printed; and the accompanying papers were referred to the Committee on Interior and Insular Affairs.

To the Congress of the United States:

This message brings together a great variety of programs. It deals not only with ways to preserve the wilderness, wildlife, and natural and historical resources which are a beautiful and valued part of America's national heritage: it deals also with the effects of pollution, toxic chemicals, and the damage caused by the demand for energy. . . .

I am submitting new wilderness proposals for:

—Arches National Park, Utah

—Canyon Lands National Park, Utah[.] . . .

We must identify as quickly as possible the best remaining candidates for inclusion in the Wild and Scenic Rivers System before they are dammed, channelized, or damaged by unwise development along their banks. As a first step, therefore, I am proposing legislation to add segments of eight rivers, totaling 1303 miles, to the system:

—Bruneau River, Idaho;

—Pere Marquette River, Michigan[.]

Referral of Messages Required by Law

§ 3.10 Consistent with section 4 of the War Powers Resolution,⁽¹⁾ requiring the President to submit reports to Congress when United States forces are introduced into certain hostile situations in the absence of a declaration of war, Presidents have customarily informed Congress of such a circumstance by an executive communication, which the Speaker usually refers to committee pursuant to the law but sometimes lays before the House.

On Apr. 14, 1975,⁽²⁾ Speaker Carl Albert, of Oklahoma, laid before the House a communication from President Gerald R. Ford, detailing the introduction of United States troops into Cambodia for the purpose of evacuating United States embassy personnel and others.

The message was laid before the House and referred as follows:

The SPEAKER laid before the House the following communication from the President of the United States; which was read and referred to the Com-

mittee on International Relations and ordered to be printed:

THE WHITE HOUSE,
Washington, April 12, 1975.

The Honorable the SPEAKER
United States House of Representatives
Washington, D.C. 20515

DEAR MR. SPEAKER: As you and other members of Congress were advised, in view of circumstances in Cambodia, the United States had certain contingency plans to utilize United States Armed Forces to assure the safe evacuation of U.S. Nationals from that country. On Friday, 11 April 1975, the Khmer Communists forces had ruptured Government of the Khmer Republic (GKR) defensive lines to the north, northwest and east of Phnom Penh and were within mortar range of Pochentong Airfield and the outskirts of Phnom Penh. In view of this deteriorating military situation, and on the recommendations of the American Ambassador there, I ordered U.S. military forces to proceed with the planned evacuation out of consideration for the safety of U.S. citizens.

In accordance with my desire that the Congress be fully informed on this matter, and taking note of Section 4 of the War Powers Resolution (P.L. 93-148), I wish to report to you that the first elements of the U.S. forces entered Cambodian airspace at 8:34 p.m. EDT on 11 April. . . .

Sincerely,

GERALD R. FORD.

In recent years the Speaker has referred a President's communication regarding the War Powers

1. Pub. L. No. 93-148 (50 USC §§ 1541 *et seq.*).
2. 121 CONG. REC. 10065, 94th Cong. 1st Sess.

Resolution and ordered it printed without laying it before the House.⁽³⁾

§ 3.11 A communication from the President, who was out of the country, in the form of a telegram (neither signed nor delivered by messenger from the White House) transmitting a report on the introduction of United States forces in a situation covered by the War Powers Resolution, was referred as an executive communication but not read to the House or printed as a House document.

On Apr. 7, 1975,⁽¹⁾ the following referral was made:

Under clause 2 of rule XXIV [now XIV], executive communications were taken from the Speaker's table and referred as follows: . . .

676. A letter from the President of the United States, transmitting a report on participation of U.S. naval vessels in the evacuation of refugees in South Vietnam, pursuant to section 4(a) of the War Powers Resolution (Public Law 93-148); to the Committee on International Relations.

3. See, *e.g.*, 149 CONG. REC. 23224, 108th Cong. 1st Sess., Sept. 24, 2003 (H. Doc. No. 108-129); 137 CONG. REC. 1909, 102d Cong. 1st Sess., Jan. 18, 1991 (H. Doc. No. 102-30)
1. 121 CONG. REC. 9191, 94th Cong. 1st Sess.

Referral to Select Committee

§ 3.12 The House may refer a Presidential message to an ad hoc select committee created to consider the message, as well as subsequent communications and bills on that subject.

The Speaker usually refers a Presidential message, delivered orally or in writing, to the Union Calendar or to an existing committee. But because of the comprehensive nature of the President's proposed National Energy Policy submitted in the 95th Congress, and to avoid giving jurisdictional primacy to any one standing committee, the Speaker did not refer the message on the evening of its delivery, but allowed the House to act, by resolution, the following day. The House then created a select committee of broad jurisdiction specifically to consider and report the energy message, as well as future communications and bills on the subjects addressed therein. The ad hoc select committee was authorized to receive and consider reports of other standing committees on the subject matter of the message.⁽¹⁾

1. The Ad Hoc Committee on Energy reported H.R. 8444, the National Energy Act, on July 27, 1977. 123

On Apr. 20, 1977,⁽²⁾ a joint session was convened to receive a message from the President in person:

JOINT SESSION OF THE HOUSE
AND SENATE HELD PURSUANT
TO THE PROVISIONS OF
HOUSE CONCURRENT RESO-
LUTION 196 TO HEAR AN AD-
DRESS BY THE PRESIDENT OF
THE UNITED STATES

The SPEAKER of the House pre-
sided. . . .

THE SPEAKER.⁽³⁾ Members of the
Congress, I have the high privilege and
the distinct honor of presenting to you
the President of the United
States. . . .

ADDRESS BY THE PRESIDENT
OF THE UNITED STATES

The PRESIDENT. Mr. President,
Mr. Speaker, Members of the Con-
gress, and distinguished guests:

The last time we met as a group was
exactly three months ago today, on In-
auguration Day. We've had a good be-
ginning as partners in addressing our
nation's problems.

But in the months ahead, we must
work together even more closely to
deal with the greatest domestic chal-
lenge that our nation will face in our
lifetime. We must act now—together—
to devise and to implement a com-
prehensive national energy plan to

cope with a crisis that otherwise could
overwhelm us. . . .

. . . [I] am confident that together
we will succeed. Thank you very much.

At 9 o'clock and 34 minutes p.m., the
President, accompanied by the com-
mittee of escort, retired from the Hall
of the House of Representatives. . . .

ADJOURNMENT

Mr. [Durwood] HALL [of Missouri].
Mr. Speaker, I move that the House do
now adjourn.

The motion was agreed to; accord-
ingly (at 9 o'clock and 42 minutes p.m.)
the House adjourned until tomorrow,
Thursday, April 21, 1977, at 11 o'clock
a.m.

The next day, on Apr. 21,
1977,⁽⁴⁾ the following proceedings
occurred in the House:

AD HOC COMMITTEE ON
ENERGY

Mr. [James C.] WRIGHT [Jr., of
Texas]. Mr. Speaker, pursuant to
clause 5 of rule X,⁽⁵⁾ I offer a privileged
resolution and ask for its immediate
consideration.

The Clerk read the resolution, as fol-
lows:

H. RES. 508

Resolved, (a) That pursuant to rule
X, clause 5, the Speaker is author-
ized to establish an Ad Hoc Com-
mittee on Energy to consider and re-
port to the House on the message of

CONG. REC. 25311, 95th Cong. 1st
Sess. (H. Rept. No. 95-543).

2. 123 CONG. REC. 11480-83, 95th
Cong. 1st Sess.

3. Thomas P. O'Neill, Jr. (MA).

4. 123 CONG. REC. 11550-56, 95th
Cong. 1st Sess.

5. Now *House Rules and Manual* § 816
(2007).

the President dated April 20, 1977 (H. Doc. 95-128), on other messages or communications related thereto, and on any bill or resolution which the Speaker may sequentially refer thereto which the Speaker determines relates to the substance of the President's message: *Provided, however*, That this paragraph shall not preclude initial reference to the ad hoc committee of a bill or resolution incorporating the recommendations of the committees with subject-matter jurisdiction over the substance of the President's message.

(b) The ad hoc committee shall be composed of thirty-seven Members of the House appointed by the Speaker from those committees of the House which he determines have subject-matter jurisdiction over the substance of the President's message, and from such other committees as the Speaker may determine so as to insure the expeditious consideration and reporting of appropriate legislation. The Speaker shall designate one of the Members as chairman. . . .

THE SPEAKER. The Chair recognizes the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, I yield myself such time as I may consume. This resolution authorizes the Speaker to appoint an ad hoc committee to receive the messages and the recommendations of the President of the United States with respect to the energy problems of this country.

The precedent is clear. Essential parts of this resolution follow precisely the language that was utilized in House Resolution 97 creating the Ad Hoc Select Committee on the Outer Continental Shelf which was agreed to on January 11 of this year.

The purpose of the ad hoc energy committee would be to draw together

an interdisciplinary group from various committees of regular jurisdiction in order to provide one general comprehensive overview. This device should facilitate an opportunity, heretofore lacking, for the House to work its will in achieving a comprehensive energy policy. It is not anticipated that the creation of this ad hoc committee would render any less effective any of those standing committees of the House which now possess jurisdiction over various facets of the energy problem.

It is anticipated that upon receipt from the President of specific legislative recommendations to carry out his energy plan, this ad hoc committee to be appointed by the Speaker might hold hearings and might make recommendations, but that the several components of the recommended legislation would be referred to the standing committees of the House according to their respective jurisdictions under the Rules of the House. Those committees then would be charged by the Speaker with the responsibility of holding hearings, considering the legislation, marking up sections of a bill, and returning those respective sections to the ad hoc committee. . . .

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Amendment of Motion to Refer

§ 3.13 An amendment to a motion to refer a message of the President to a committee is

in order when the motion for the previous question is rejected or when the Member offering the original motion yields for an amendment.

On June 3, 1937,⁽¹⁾ Speaker William B. Bankhead, of Alabama, laid before the House a message from President Franklin D. Roosevelt. Following the reading, Mr. William M. Whittington, of Mississippi, moved that the message be referred to the Committee on Flood Control and ordered printed. Mr. Joseph J. Mansfield, of Texas, rose to propound a parliamentary inquiry. Mr. Whittington yielded in order that the Chair might entertain the inquiry, and the following proceedings ensued:

The SPEAKER. The gentleman from Texas propounds a parliamentary inquiry to the Chair as to whether the gentleman would be entitled to offer as a substitute for the motion made by the gentleman from Mississippi a motion to refer the President's message to the Committee on Rivers and Harbors.

The Chair, anticipating that this question might arise, has looked rather fully into the precedents in reference thereto and finds that on April 4, 1933, when Mr. Rainey was Speaker of the House, this identical proposition was presented.

At that time it will be recalled that a bill was pending with reference to

the refinancing of farm-mortgage indebtedness. Two committees claimed jurisdiction of the subject matter of that bill, the committee on Banking and Currency and the Committee on Agriculture.

When the President's message was read the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES], moved that the President's message be referred to the Committee on Agriculture. Thereupon the specific inquiry now propounded by the gentleman from Texas [Mr. MANSFIELD] was made.

The Chair reads the query and the answer of the Speaker:

MR. STEAGALL. Mr. Speaker, I desire at the proper time to submit a substitute motion that the message be referred to the Committee on Banking and Currency.

Mr. JONES said:

Mr. Speaker, I do not yield for that purpose.

The Speaker stated:

The gentleman from Texas does not yield. It is necessary to vote down the previous question before that motion will be in order.

The gentleman from Mississippi [Mr. WHITTINGTON] is entitled to 1 hour, and the Chair understands he has perfected an arrangement with the gentleman from Texas [MR. MANSFIELD] by which he will yield to the gentleman from Texas one-half of that time. At the conclusion of the debate of 1 hour the Chair assumes the gentleman from Mississippi will move the previous question on the motion referring the message to the Committee on Flood Control. If the previous question should be voted down, then the gentleman from Texas [Mr. MANSFIELD]

1. 81 CONG. REC. 5296-307, 75th Cong. 1st Sess.

would have the right and privilege of offering an amendment to the motion to refer the message. . . .

Mr. [James M.] FITZPATRICK [of New York]. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZPATRICK. Assuming the previous question is ordered we will then vote on whether the message shall or shall not be referred to the Committee on Flood Control?

The SPEAKER. If the previous question is ordered, the next vote will be on the motion to refer it to the Committee on Flood Control. If the previous question is not ordered, then it leaves to the determination of the House what course shall be taken with reference to the President's message.

The question was taken; and on a division (demanded by Mr. WHITTINGTON) there were—ayes 61, noes 166.

So the motion for the previous question was rejected.

Mr. MANSFIELD. Mr. Speaker, I now move that the message of the President be referred to the Committee on Rivers and Harbors, and on that motion I move the previous question.

Mr. Whittington then raised another parliamentary inquiry:

Mr. WHITTINGTON. Mr. Speaker, there is now pending the motion I made that the message of the President be referred to the Committee on Flood Control. It occurs to me the motion made by the gentleman from Texas [Mr. MANSFIELD] is improper, and that the proper motion would be to amend my motion, if the gentleman de-

sires that the message be referred to his committee. My point is there is a motion pending and an independent motion would not be in order.

The SPEAKER. The Chair, upon reconsideration, is of the opinion the proper procedure would be for the gentleman from Texas to offer an amendment to the pending motion, to the effect that the message of the President be referred to the Committee on Rivers and Harbors.

Mr. MANSFIELD. Mr. Speaker, I make that motion at this time.

The SPEAKER. The gentleman from Texas offers an amendment to the motion, which the Clerk will report.

The Clerk read as follows:

Mr. MANSFIELD moves, as an amendment to the motion made by the gentleman from Mississippi [Mr. WHITTINGTON], to refer the President's message to the Committee on Rivers and Harbors.

Mr. WHITTINGTON. Mr. Speaker, in view of the action of the House, I beg to say that that amendment is agreeable to me; and for the sake of the RECORD, I should like to have permission to withdraw the motion I made, and I ask unanimous consent so to do, in order that the gentleman may present his motion.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to withdraw his motion. Is there objection?

There was no objection.

The SPEAKER. The Chair will now recognize the gentleman from Texas to move that the President's message be referred to the Committee on Rivers and Harbors.

Change of Referral

§ 3.14 In one instance, the Speaker on his own initiative

changed the referral of a Presidential message on the day received.

On Jan. 27, 1958,⁽¹⁾ Speaker Sam Rayburn, of Texas, announced that he was going to change the referral of a Presidential message received and referred earlier that day:

The SPEAKER. After further examination of the President's message and the recommendations made therein, the Chair believes that the proper committee to which to refer the President's message is the Committee on Education and Labor instead of the Committee on Interstate and Foreign Commerce, because on the Science Foundation no new law is suggested, simply more appropriations. The other part of the President's message deals with [legislation on] education. Therefore the Chair is going to change the reference of the President's message and whatever bills are introduced on that subject, to the Committee on Education and Labor.

§ 3.15 The House may change the Speaker's referral of a Presidential message by unanimous consent.

On July 18, 1919,⁽¹⁾ a message was received from the President of the United States, and being read, was referred by Speaker Frederick

1. 104 CONG. REC. 1112, 85th Cong. 2d Sess.

1. 58 CONG. REC. 2852-54, 66th Cong. 1st Sess.

H. Gillett, of Massachusetts, to the Committee on Military Affairs. Later that day, upon agreeing to a unanimous-consent request made by the Speaker, the House re-referred a portion of the message to the Committee on Naval Affairs.

Referral by Designated Speaker Pro Tempore**§ 3.16 When a designated Speaker pro tempore was presiding, a Presidential message was referred to committee and ordered printed only by unanimous consent.**

The proceedings of Jan. 24, 1968,⁽¹⁾ provide an exemplar of this earlier practice. On that day, Speaker John W. McCormack, of Massachusetts, laid before the House the following message from the President of the United States, which was read:

To the Congress of the United States:

In each of the past three years I have sent to the Congress a special message dealing with Civil Rights. This year I do so again, with feelings of both disappointment and pride[.] . . .

I ask the Congress to take another forward step this year—by adopting this legislation fundamental to the human rights and dignity of every American.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 24, 1968.*

1. 114 CONG. REC. 818-821, 90th Cong. 2d Sess.

Upon conclusion of the reading, and with a designated (that is, nonelected) Speaker pro tempore⁽²⁾ in the chair, the message was, by unanimous consent, referred by the Speaker pro tempore to the Committee of the Whole House on the state of the Union and ordered to be printed.⁽³⁾

In the modern practice, and as a reflection of the nature of the transaction, designated Speakers pro tempore have exercised independently the responsibility of the Speaker for referrals in other areas that arise periodically but unpredictably during the business of the House.

Referral of Presidential Message as Related to Unfinished Business

§ 3.17 Messages from the President may be read and referred before the House proceeds with unfinished business.

On Oct. 19, 1966,⁽¹⁾ Speaker John W. McCormack, of Massachusetts, laid before the House messages from the President which had been received on the

previous day. They were read and referred to the appropriate committee before the consideration of unfinished business from the previous day.

The SPEAKER laid before the House the following message from the President of the United States . . . which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I am transmitting the third Annual Report on Special International Exhibitions for the fiscal year 1965 pursuant to section 108(b) of the Mutual Educational and Cultural Exchange Act of 1961—Public Law 87-256. . . .

LYNDON B. JOHNSON.

Enclosures:

1. Letter of transmittal.
2. Report.

THE WHITE HOUSE, *October 18, 1966.*

SEMIANNUAL REPORT ON THE NATION'S SPACE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 526)

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered printed, with illustrations.

To the Congress of the United States:

2. Carl Albert (OK).

3. See also, *e.g.*, 149 CONG. REC. 25070, 108th Cong. 1st Sess., Oct. 17, 2003.

1. 112 CONG. REC. 27640, 89th Cong. 2d Sess.

This is a report of a period—July 1 through December 31, 1965—characterized by outstanding progress in the Nation's space program. . . .

LYNDON B. JOHNSON.
THE WHITE HOUSE, *October 19, 1966.*

ANNOUNCEMENT BY THE
SPEAKER—DISPOSING OF
PENDING BUSINESS

The SPEAKER. The Chair will receive unanimous-consent requests, after the disposition of pending business.

The unfinished business is the vote on agreeing to the resolution (H. Res. 1062) certifying the report of the Committee on Un-American Activities as to the failures of Jeremiah Stamler to give testimony before a duly authorized subcommittee of said committee.

The Clerk read the title of the resolution.

Referral of Presidential Nomination of Vice President

§ 3.18 Under the 25th Amendment, when the President submits a nomination to fill a vacancy in the office of Vice President, he does so by written message.

Vice President Spiro Agnew submitted his resignation to the Secretary of State on Oct. 10, 1973.⁽¹⁾ On Saturday, Oct. 13,

1. Under 3 USC § 20, the resignation of a President or Vice President is submitted to the Secretary of State.

President Richard M. Nixon nominated Representative Gerald R. Ford, of Michigan, who was then the Minority Leader of the House, to fill the vacancy in that office.⁽²⁾ The House met⁽³⁾ in order to receive the written message transmitting the nomination on the same day as the Senate. In the House, the Speaker referred the nomination to the standing committee with jurisdiction of matters relating to Presidential succession.

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

NOMINATION OF VICE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-165)

The Speaker laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

-
2. Pursuant to § 2 of the 25th Amendment to the Constitution, whenever there is a vacancy in the office of the Vice President, the President nominates a Vice President, who takes office upon confirmation by a majority vote of each House.
 3. 119 CONG. REC. 34032, 93d Cong. 1st Sess., Oct. 13, 1973.

Pursuant to the provisions of Section 2 of the Twenty-fifth Amendment to the Constitution of the United States, I hereby nominate Gerald R. Ford, of Michigan, to be the Vice President of the United States.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1973.*

Parliamentarian's Note: The 25th Amendment was ratified in 1967, and President Nixon's nomination of Gerald Ford was the first application of §2 of that Amendment. Therefore, most of the decisions concerning the nomination and the confirmation process—the order and manner of consideration of the nomination and the ceremony following the completion of congressional action—were of first impression. Although the details of the process are carried elsewhere in this work,⁽⁴⁾ some of those decisions of first impression are noted here for the convenience of the reader.

The Senate acted first on the nomination on Dec. 27, 1973,⁽⁵⁾ reflecting the traditional role of that body in considering nominations and the unique position of the Vice President as President of the Senate.

To preserve the independence of the deliberative process in the two

Houses, the House was not formally notified of the Senate confirmation until House action was completed.

The House voted on the nomination by adopting a House resolution⁽⁶⁾ which was not handled as a privileged matter⁽⁷⁾ but was voted on in the full House after debate in the Committee of the Whole under the terms of a special order-of-business resolution reported by the Committee on Rules.⁽⁸⁾

The oath of office was, at the express request of the new Vice President, administered during a joint meeting in the House Chamber.⁽⁹⁾ The form of the ceremony

4. See Ch. 10 §4.3, *supra*, and Ch. 13 §22.1, *supra*.

5. 119 CONG. REC. 38212, 93d Cong. 1st Sess.

6. H. Res. 738, 119 CONG. REC. 39807–900, 93d Cong. 1st Sess., Dec. 6, 1973.

7. With respect to the issue of privilege of a resolution confirming the nomination, see dictum of Speaker Gillett on May 6, 1921, that aside from questions of considering vetoed bills and impeachment charges, conferral by the Constitution upon the House of the power to take certain actions, such as declarations of war and apportionments after decennial censuses, does not make those questions privileged for immediate consideration upon demand of any Member. 6 Cannon's Precedents § 48.

8. H. Res. 738, 119 CONG. REC. 39807–900, 93d Cong. 1st Sess., Dec. 6, 1973.

9. 119 CONG. REC. 39925–27, 93d Cong. 1st Sess., Dec. 6, 1973.

itself was the mutual decision of the leadership in the two Houses and the President.

§ 3.19 A second nomination of a Vice President pursuant to the 25th Amendment was submitted to the Congress in 1974.

With Vice President Ford becoming President upon the resignation of President Nixon, there was again a vacancy in the office of the Vice President. On Aug. 20, 1974,⁽¹⁾ President Ford nominated Nelson A. Rockefeller, of New York, to be Vice President.

The procedure followed in the House with respect to that nomination was similar to that used the year before with respect to the nomination of Gerald Ford.⁽²⁾ The message transmitting the nomination was received by the House on Aug. 20, 1974, and was referred by the Speaker to the Committee on the Judiciary. After hearings before that committee and the reporting by that committee to the House of a resolution confirming the nomination, with an accompanying report,⁽³⁾ the House

adopted a special order-of-business resolution providing for consideration of the confirmation resolution in the Committee of the Whole.⁽⁴⁾ Pursuant to that special order-of-business resolution, the House considered and agreed to the confirmation resolution on Dec. 19, 1974.

The Senate, acting first on the nomination (as it had in the prior case of the Ford nomination), informed the House of its confirmation of the nomination on Dec. 19, following adoption by the House of a confirmation resolution that same day.⁽⁵⁾

Members of the House were invited to attend the swearing-in ceremonies held in the Senate Chamber later that same day.⁽⁶⁾

Classified Material

§ 3.20 The President sometimes transmits to Congress classified material requiring special handling and processing in referral.

On Jan. 26, 1970,⁽¹⁾ a message from the President, transmitting a

1. 120 CONG. REC. 29366, 93d Cong. 2d Sess.

2. See § 3.18, *supra*.

3. H. Res. 1511, confirming Nelson A. Rockefeller as Vice President of the United States, together with the report thereon, H. Rept. No. 93-1609.

4. See 120 CONG. REC. 41419-41517, 93d Cong. 2d Sess., Dec. 19, 1974 (H. Res. 1519, providing for consideration of H. Res. 1511).

5. *Id.* at p. 41517.

6. *Id.* at pp. 41181, 41182.

1. 116 CONG. REC. 1017, 1018, 91st Cong. 2d Sess.

copy of an amendment to an agreement regarding cooperation on the uses of atomic energy for mutual defense purposes, together with an accompanying envelope marked "Secret," were laid before the House.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954 as amended, I am submitting to the Congress an authoritative copy of an amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended. The Amendment was signed at Washington on October 16, 1969. . . .

I am also transmitting a copy of the Secretary of State's letter to me accompanying authoritative copies of the signed Amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending approval of this Amendment, and a copy of my memorandum in reply thereto, setting forth my approval.

RICHARD NIXON.

THE WHITE HOUSE, *January 26, 1970.*

Parliamentarian's Note: The President's message was laid before the House and read and then referred to the Joint Committee on Atomic Energy, along with an accompanying classified envelope marked "Secret," which was not opened or read. After processing

the message, the bill clerk delivered the message and accompanying envelope to a staff member of the joint committee, who signed a receipt therefor.⁽⁹⁾

In the case of a classified executive communication that is received when the House is not in session, an employee in the Office of the Clerk who has an appropriate security clearance delivers the document to the appropriate committee and the referral is noted in the *Congressional Record*.

§ 4. Joint Sessions to Receive Presidential Messages: In General

The President, under the Constitution,⁽¹⁾ has the duty from time to time to give to the Congress information on the state of the Union and to recommend the consideration of such measures as he considers necessary and expedient. Such "state of the Union" messages are, in modern practice, delivered in person, but may be transmitted in writing.⁽²⁾ When the President has indicated an intention to address Congress in

9. See also 108 CONG. REC. 9524, 87th Cong. 2d Sess., May 31, 1962.

1. U.S. Const. art. II, § 3.

2. See § 3.3, *supra*.

person, the two Houses provide by concurrent resolution for a joint session to receive the message. Such a resolution is held to be of the highest privilege.⁽³⁾

Topics that the President has covered in messages delivered in person to joint sessions of Congress, in addition to state of the Union and budgetary matters, have included the threat of war in the world,⁽⁴⁾ a declaration of war on Japan,⁽⁵⁾ the results of the Yalta Conference at the close of World War II hostilities,⁽⁶⁾ the return of a bill regarding military pay,⁽⁷⁾ a legislative proposal to settle strikes affecting the railroads and soft coal mining industries,⁽⁸⁾ a legislative proposal for comprehensive health care reform,⁽⁹⁾ the announcement of a Middle East peace agreement,⁽¹⁰⁾

3. 8 Cannon's Precedents § 3335.
4. 147 CONG. REC. 17455–57, 107th Cong. 1st Sess., Sept. 20, 2001; and 86 CONG. REC. 6242–44, 76th Cong. 3d Sess., May 16, 1940.
5. 87 CONG. REC. 9519–38, 77th Cong. 1st Sess., Dec. 8, 1941.
6. 91 CONG. REC. 1618–22, 79th Cong. 1st Sess., Mar. 1, 1945.
7. 79 CONG. REC. 7993–97, 74th Cong. 1st Sess., May 22, 1935.
8. 92 CONG. REC. 5752, 5753, 79th Cong. 2d Sess., May 25, 1946.
9. 139 CONG. REC. 22141–47, 103d Cong. 1st Sess., Sept. 22, 1993.
10. 124 CONG. REC. 29916, 29917, 95th Cong. 2d Sess., Sept. 18, 1978.

and the announcement of the end of military operations in the Persian Gulf region.⁽¹¹⁾

Authorizing Resolutions

§ 4.1 A joint session of the two Houses for the purpose of receiving a message from the President is arranged by a concurrent resolution.

On Jan. 7, 1959,⁽¹⁾ the House agreed to a concurrent resolution providing for a joint session for the purpose of receiving the President's message:

Mr. [John W.] MCCORMACK [of Massachusetts]. Mr. Speaker, I offer a resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the hall of the House of Representatives on Friday, January 9, 1959, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

The Senate agreed to the concurrent resolution on the next day.⁽²⁾

11. 137 CONG. REC. 5139–42, 102d Cong. 1st Sess., Mar. 6, 1991.
1. 105 CONG. REC. 16, 86th Cong. 1st Sess.
2. See 105 CONG. REC. 144, 86th Cong. 1st Sess., Jan. 8, 1959.

§ 4.2 A concurrent resolution providing for a joint session to receive a message from the President is privileged.

On Sept. 8, 1971,⁽¹⁾ a privileged concurrent resolution was called up from the floor as follows:

Mr. [Thomas P.] O'NEILL [Jr., of Massachusetts]: Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 395) and ask for its immediate consideration.⁽²⁾

The Clerk read the concurrent resolution as follows:

H. CON. RES. 395

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, September 9, 1971, at 12:30 p.m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

President May Suggest Date for Joint Session

§ 4.3 When at the beginning of a new Congress the House has completed its essential organizational business, it

1. 117 CONG. REC. 30845, 92d Cong. 1st Sess.
2. In the Senate, such a measure is a question of high privilege. Riddick/Frumin, *Senate Procedure*, p. 892, S. Doc. No. 101-28 (1992).

informs the President, by committee, that it has established a quorum and is ready to receive any message he may wish to transmit. The committee, when it reports back to the House, sometimes informs the House of the date on which the President desires to address a joint session.

On Jan. 14, 1975,⁽¹⁾ for example, the Majority Leader, a member of the committee appointed to inform the President that the new House was prepared to proceed to business, reported and informed the House of the date on which the President was prepared to address a joint session.

Mr. [Thomas P.] O'NEILL [Jr., of Massachusetts]. Mr. Speaker, your committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 1 p.m., Wednesday, January 15, 1975, to a joint session of the two Houses.

JOINT SESSION OF CONGRESS—
STATE OF THE UNION MESSAGE

Mr. O'NEILL. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1)

1. 121 CONG. REC. 34, 94th Cong. 1st Sess.

and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on January 15, 1975 at 1 o'clock p.m. for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

Joint Session to Receive Veto Message Delivered in Person by the President

§ 4.4 On one occasion, the President delivered a veto message to a joint session of Congress.

Although the Senate debated the right of the President to deliver a veto message in person,⁽¹⁾ President Franklin D. Roosevelt addressed a joint session on May 22, 1935, for that purpose.⁽²⁾

At 12 o'clock and 27 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid prolonged applause.

1. 79 CONG. REC. 7896-912, 74th Cong. 1st Sess., May 21, 1935.
2. *Id.* at pp. 7993, 7996.

The SPEAKER.⁽³⁾ Senators and Representatives of the Seventy-fourth Congress, I have the distinguished honor and privilege of presenting to you the President of the United States. [Applause.]

VETO MESSAGE OF THE PRESIDENT OF THE UNITED STATES—ADJUSTED-SERVICE CERTIFICATES (H. DOC. NO. 197)

The PRESIDENT OF THE UNITED STATES. Mr. Speaker and Members of the House of Representatives, 2 days ago a number of gentlemen from the House of Representatives called upon me and with complete propriety presented their reasons for asking me to approve the House of Representatives bill providing for the immediate payment of adjusted-service certificates. In the same spirit of courtesy I am returning this bill today to the House of Representatives. . . .

As to the right and the propriety of the President in addressing the Congress in person, I am very certain that I have never in the past disagreed, and will never in the future disagree, with the Senate or the House of Representatives as to the constitutionality of the procedure. With your permission, I should like to continue from time to time to act as my own messenger. . . .

Therefore, Mr. Speaker, I return, without my approval, House of Representatives bill no. 3896, providing for the immediate payment to veterans of the 1945 face value of their adjusted-service certificates.

Thereupon (at 1 o'clock and 10 minutes p. m.) the President retired from the Hall of the House.

3. Joseph W. Byrns (TN).

At 1 o'clock and 12 minutes p.m., the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

ACTION ON THE VETO MESSAGE OF
THE PRESIDENT

The SPEAKER. The objections of the President will be entered at large on the Journal, and the message and the bill printed as a House document.

The question is, Will the House of Representatives, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Parliamentarian's Note: The return of a bill in this manner was unusual as the message otherwise is delivered to the House originating the measure. The other House would be notified only following action by the first House. The House here properly waited until the dissolution of the joint session and the departure of the Senate before proceeding to the reconsideration of the bill.

§ 5. Joint Sessions to Receive Presidential Messages: Procedure

At the appointed hour for a joint session to receive the President, the Members of the Senate arrive and occupy the seats re-

served for them. The President of the Senate (the Vice President) sits to the right of the Speaker, but in the absence of the Vice President, the President pro tempore sits to the left of the Speaker. The Speaker presides.⁽¹⁾ Since the inception of television coverage in the House, the President almost always delivers his annual state of the Union message in the evening.⁽²⁾

Speaker's Declaration of Recess

§ 5.1 The Speaker declares a recess in connection with a joint session to receive a message in person from the President.

Under the authority of Rule I clause 12(a) to "suspend the business of the House for a short time when no question is pending before the House,"⁽¹⁾ the Chair declares a recess for the purpose of preparing the Chamber for a joint session to receive a message from

1. *House Rules and Manual* § 169 (2007).

2. The first instance of a President delivering an annual message at an evening session occurred on Jan. 3, 1936. See 80 CONG. REC. 27-30, 74th Cong. 2d Sess.

1. *House Rules and Manual* § 638 (2007).

the President, as seen in the proceedings of Jan. 29, 2002:⁽²⁾

The SPEAKER pro tempore.⁽³⁾ Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 8:40 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess until approximately 8:40 p.m.

The proceedings of Jan. 7, 1959,⁽⁴⁾ exemplify the grant of authority for the Speaker to declare a recess that was necessary before the adoption of Rule I clause 12(a) at the beginning of the 103d Congress.

On that date, following the adoption of a concurrent resolution providing for a joint session of the two Houses to receive a message from the President on Jan. 9, 1959,⁽⁵⁾ the Speaker, Sam Rayburn, of Texas, was authorized by unanimous consent to declare a recess at any time on that date, as follows:

Mr. [John W.] McCORMACK [of Massachusetts]. Mr. Speaker, I ask unanimous consent that on Friday, January 9, 1959, it may be in order for

2. 148 CONG. REC. 329, 330, 107th Cong. 2d Sess.
3. John E. Sweeney (NY).
4. 105 CONG. REC. 16, 86th Cong. 1st Sess.
5. 80 CONG. REC. 9, 74th Cong. 2d Sess. (S. Con. Res. 25).

the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Ceremonial Procedure at Joint Session

§ 5.2 The two Houses follow established ceremonial procedures at a joint session to receive a message from the President.

On Jan. 31, 2006,⁽¹⁾ the two Houses met in joint session to receive the President's annual state of the Union message. As part of the preparation for the joint session, the Chair announced the customary policy on floor privileges for the joint session. The Chair also announced that the practice of reserving seats by placard for the joint session would not be allowed and that Members could reserve seats only by their physical presence following a security sweep of the Chamber.

The proceedings were as follows:

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore.⁽²⁾ The Chair desires to make an announcement.

1. 152 CONG. REC. 413–417, 109th Cong. 2d Sess.
2. Ray LaHood (IL).

After consultation among the Speaker, the majority and minority leaders, and with their consent and approval, the Chair announces that tonight when the two Houses meet in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance that is anticipated, the Chair feels that the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

The practice of reserving seats prior to the joint session by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:40 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 5 o'clock and 22 minutes p.m.), the House stood in recess until approximately 8:40 p.m.

AFTER RECESS

The recess having expired, the House was called to order at 8 o'clock and 43 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 77 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The Speaker⁽³⁾ of the House presided.

The Deputy Sergeant at Arms,⁽⁴⁾ Mrs. Kerri Hanley, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker,⁽⁵⁾ and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Missouri (Mr. BLUNT); . . .

The gentleman from South Carolina (Mr. CLYBURN).⁽⁶⁾

3. J. Dennis Hastert (IL).
4. Before the abolition of the office in 1995 (see *House Rules and Manual* §663a (2007)), the Doorkeeper announced all attendees. See, e.g., 105 CONG. REC. 32–36, 86th Cong. 1st Sess., Jan. 7, 1948.
5. In the absence of the Vice President (the President of the Senate), the Senate is represented on the Speaker's rostrum by its President pro tempore, who sits to the Speaker's left. See *House Rules and Manual* § 169 (2007).
6. The full House escort committee consisted of the Majority Leader, Roy Blunt (MO), the Republican Conference Chairman, Deborah Pryce

The VICE PRESIDENT.⁽⁷⁾ The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Tennessee (Mr. FRIST); . . .

The Senator from New Jersey (Mr. MENENDEZ).

The Deputy Sergeant at Arms announced the Dean of the Diplomatic Corps. . . .

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.⁽⁸⁾

The Deputy Sergeant at Arms announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

(OH), the Rules Committee Chairman, David Dreier (CA), the Minority Leader, Nancy Pelosi (CA), the Minority Whip, Steny Hoyer (MD), and the Democratic Caucus Chairman, Jim Clyburn (SC). At the time of this joint session, the positions of Majority Whip and Democratic Caucus Vice Chairman were vacant.

7. Richard B. Cheney (WY).

8. Under an earlier practice, the entire diplomatic corps was announced. See, *e.g.*, 94 CONG. REC. 32, 80th Cong. 2d Sess., Jan. 7, 1948; 136 CONG. REC. 905, 101st Cong. 2d Sess., Jan. 31, 1990.

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 7 minutes p.m., the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising).

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

THE STATE OF THE UNION ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDENT. Mr. Speaker, Vice President CHENEY, Members of Congress, members of the Supreme Court and Diplomatic Corps, distinguished guests and fellow citizens: . . .

May God bless America.

(Applause, the Members rising.)

At 10 o'clock and 5 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet; Chief Justice of the United States and Associate Justices of the Supreme Court;

The Dean of the Diplomatic Corps.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 10 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COM- MITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. [Bob] GOODLATTE [of Virginia]. Mister Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

The motion was agreed to.

State of the Union and Budget as One Message

§ 5.3 The President has submitted his annual message on the state of the Union and his budget message in one communication.

On Jan. 21, 1946,⁽¹⁾ President Harry S Truman submitted in

1. 92 CONG. REC. 136–155, 79th Cong. 2d Sess.

writing his annual message on the state of the Union. His comments on the budget were included in the same message.

Messages in Writing Accompanying State of the Union Address

§ 5.4 On one occasion, the President delivered his state of the Union address to a joint session of Congress and delivered in writing a lengthy message carrying his legislative program in more detail than in the text read to the Members. On motion, the House ordered both texts printed as a single document and referred to the Union Calendar.

For the state of the Union message delivered on Jan. 30, 1974,⁽¹⁾ President Richard M. Nixon delivered an abbreviated version in person and provided a longer version in writing. The delivered speech took about 40 minutes; the written text submitted under separate seal, was some 22,000 words in length.⁽²⁾

1. See 120 CONG. REC. 1465–85, 93d Cong. 2d Sess.

2. *Parliamentarian's Note*: At the time of this state of the Union message the House Committee on the Judiciary had commenced an impeachment inquiry.

The proceedings were as follows:

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 43 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 413 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided. . . .

The SPEAKER.⁽³⁾ My colleagues of the Congress, I have the distinct privilege and the high personal honor of presenting to you the President of the United States.

[Applause, the Members rising.]

THE STATE OF THE UNION—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-206)

The PRESIDENT. Mr. Speaker, Mr. President, my colleagues in the Congress, our distinguished guests, and my fellow Americans:

. . . Tonight, for the first time in 12 years, a President of the United States can report to the Congress on the state of a Union at peace with every nation of the world.

Because of this, in the 22,000-word message on the state of the Union that

I have just handed to the Speaker of the House and the President of the Senate, I have been able to deal primarily with the problems of peace, with what we can do here at home in America for the American people, rather than with the problems of war. The measures I have outlined in this message set an agenda for truly significant progress for this Nation and the world in 1974. . . .

[Applause, the Members rising.]

The state of the Union message, referred to by the President, and submitted to the Congress, is, in its official text, as follows:

To the Congress of the United States:

We enter 1974 not at the beginning of an historical cycle, but in the middle of one. Beginnings have been made in many vital areas, beginnings which we now must build upon. New needs have arisen which we are in the process of addressing. Opportunities are coalescing which give us a chance to make historic progress toward a stable peace and expanding prosperity. . . .

I have full confidence that we will meet that responsibility.

RICHARD NIXON.

THE WHITE HOUSE, *January 30, 1974.*

At 9 o'clock and 48 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives. . . .

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

3. Carl Albert (OK).

Accordingly, at 9 o'clock and 55 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

REFERENCE OF PRESIDENT'S
MESSAGE

Mr. [Charles] ROSE [of North Carolina]. Mr. Speaker, I move that the message of the President together with the accompanying documents be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

§ 5.5 In the second session of the 96th Congress, the President transmitted his state of the Union speech in writing on the day before he delivered the address to a joint session of Congress.

When the second session of the 96th Congress convened to conduct its organizational business, the Majority Leader, appointed by the Speaker to the select committee to notify the President that a quorum was assembled and that the House was ready to proceed to business, reported back to the House that the President wished to address a joint session of Congress on the state of the Union on the following day. His written speech was transmitted on Jan. 22, 1980,⁽¹⁾ and was read (in

1. 126 CONG. REC. 190-215, 96th Cong. 2d Sess.

brief), referred to the Union Calendar, and ordered printed. Both versions were thus printed as House documents.⁽²⁾

The written message was laid before the House and subsequent proceedings were as follows:

STATE OF THE UNION ADDRESS—
MESSAGE FROM THE PRESIDENT OF THE UNITED STATES
(H. DOC. NO. 96-250)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

My State of the Union Address will be devoted to a discussion of the most important challenges facing our country as we enter the 1980's. . . .

We must move together into this decade with the strength which comes from realization of the dangers before us and from the confidence that together we can overcome them.

JIMMY CARTER.

THE WHITE HOUSE, *January 21, 1980.*

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. [James C.] WRIGHT [Jr., of Texas]. Mr. Speaker, your committee

2. The address to the joint session was printed as H. Doc. No. 96-257. See 126 CONG. REC. 380-382, 96th Cong. 1st Sess., Jan. 22, 1980.

on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty.

The President asked us to report that he will be pleased to deliver his message at 9 p.m., Wednesday, January 23, 1980, to a joint session of the two Houses. . . .

JOINT SESSION OF CONGRESS—
STATE OF THE UNION ADDRESS

Mr. WRIGHT. Mr. Speaker I offer a concurrent resolution (H. Con. Res. 241) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 241

Resolved by the House of Representatives (the Senate concurring) That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 23, 1980, at 9 o'clock postmeridiem for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

Consecutive Joint Sessions to Count Electoral Votes and Receive Presidential Message

§ 5.6 At the inception of the 79th Congress, immediately

after a joint session was held for the purpose of counting electoral votes, a second joint session was held to hear the President's annual message read by the Clerk.

On Jan. 6, 1945,⁽¹⁾ a recess having expired, the House was called to order by the Speaker. The Senate entered the Hall, preceded by the Vice President and the Secretary of the Senate. The Vice President addressed the assembly as to the purpose of the joint session:

The VICE PRESIDENT.⁽²⁾ Mr. Speaker and gentlemen of the Congress, the Senate and the House of Representatives, pursuant to the requirements of the Constitution and laws of the United States, have met in joint session for the purpose of opening the certificates and ascertaining and counting the votes of the electors of the several States for President and Vice President. . . .⁽³⁾

The tellers proceeded to read, count, and announce the electoral votes of the several States in alphabetical order. The Vice President then announced that the certificates of all the States had been opened and read, and that the tellers would make final ascertainment of the result and deliver it to the Vice President.

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1. 191 CONG. REC. 90–97, 79th Cong. 1st Sess.
 2. Henry A. Wallace (IA).
 3. Electoral College, see Ch. 10, *supra*.

This done, the Vice President dissolved the joint session, called pursuant to Senate Concurrent Resolution 1, and indicated that the Senate would remain in the House Chamber pursuant to Senate Concurrent Resolution 2, to receive a message in writing from the President of the United States. This message was communicated to the joint session by one of the President's secretaries. The Speaker laid the message before the joint session and it was read:

To the Congress of the United States:

In considering the state of the Union, the war, and the peace that is to follow, are naturally uppermost in the minds of all of us. . . .

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 6, 1945.*

Following the reading, the joint session was dissolved by the Speaker. The Senate retired from the Hall of the House, and the House was called to order by the Speaker.

§ 6. Letters From the President

Letter in Support of Bill

§ 6.1 During debate in the Committee of the Whole, the Clerk, by unanimous consent, read a letter from the

President to the Speaker in which the President expressed his support for the bill then under consideration.

On Nov. 20, 1969,⁽¹⁾ while the House was sitting as the Committee of the Whole, the Speaker, John W. McCormack, of Massachusetts, rose to announce that he had just received a letter from the President relating to the legislation then under discussion.

The following proceedings ensued:

Mr. McCORMACK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have just received a letter from President Nixon. I understand the minority leader also received a letter. I received it a few minutes ago. It relates to the bill pending before the House. I would like to have the contents of the letter read to the House so that the Members will have in mind the views expressed by the President in his letter to me.

Mr. Chairman, I ask unanimous consent that the Clerk be authorized to read the letter of the President of the United States.

The CHAIRMAN.⁽²⁾ Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the letter as follows:

THE WHITE HOUSE,
Washington.

1. 115 CONG. REC. 35192, 35193, 91st Cong. 1st Sess.
2. Charles M. Price (IL).

Hon. JOHN W. McCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER:. . .

. . . [I] hope that Congressional leaders will approach this year's decisions on foreign assistance with a full appreciation of the serious consequences of both the reductions so far and any deeper cuts that may be advocated. Such reductions will have virtually no effect on our actual expenditures in FY 1970 because of the lag in actually disbursing the funds, but would have an extremely serious impact on our leadership responsibilities in this important field. I therefore urge you to avoid or minimize further cuts in the bill now before the House.

Sincerely,

RICHARD NIXON.

Mr. McCORMACK. Mr. Chairman, the views of the President of the United States, without regard to political party or the political party of the President, are always worthy of consideration by the Members of this body.

Letter Treated as Executive Communication

§ 6.2 A letter from the President to the Speaker, advocating certain legislative action, was laid before the House.

On Nov. 12, 1969,⁽¹⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a

1. 115 CONG. REC. 33739, 91st Cong. 1st Sess.

letter from the President of the United States, which was read and referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.⁽²⁾

THE WHITE HOUSE,
Washington, D.C., November 6, 1969.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Air transportation is a rapidly growing and vital part of the national economy. It is essential that we keep our air transportation system safe, economic and efficient. I have stressed many times my determination to take the steps necessary to maintain the safety and improve the effectiveness of the nation's air traffic control system. . . .

Since the continuing resolution has held the operation of the Department of Transportation so far in the fiscal year to the fiscal year 1969 level, no additional appropriations beyond the pending 1970 budget request will be required to support these additional 1,000 traffic controller positions.

I urgently request that the Congress approve this proposal.

Sincerely,

RICHARD NIXON.

2. See also 103 CONG. REC. 6019-21, 85th Cong. 1st Sess., Apr. 18, 1957 (letter from the President in response to a House resolution requesting him to indicate where certain budget reductions could be made was laid before the House by the Speaker, read, referred to committee, and ordered printed).

§ 6.3 The Speaker laid before the House a letter from the President supporting a bill then pending before the House.

On Sept. 14, 1970,⁽¹⁾ the Speaker laid before the House the following communication from the President of the United States. It was read and referred to the Committee on Banking and Currency and ordered to be printed.⁽²⁾

THE WHITE HOUSE,
Washington, September 11, 1970.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is now pending before the House a bill of vital importance to the international economic and financial interests of the United States. H.R. 18306 authorizes increased U.S. participation in four multilateral financial institutions: . . .

This legislation has my full support. I believe that the national interest will be served by passage of H.R. 18306, and I strongly urge prompt and favorable action by the House of Representatives.

Sincerely,

RICHARD NIXON.

1. 116 CONG. REC. 31422, 91st Cong. 2d Sess.

2. But see § 2.2, *supra*.

Enclosure and Reading of Communication From Foreign Head of State

§ 6.4 A letter from the President transmitting a communication from the Queen of Great Britain was read; the communication from the Queen was also read.

On May 23, 1952,⁽¹⁾ the Speaker laid before the House a letter from the President, which was read. Also read was an enclosed letter from Her Majesty Queen Elizabeth II.

THE WHITE HOUSE,
Washington, May 22, 1952.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I am transmitting herewith a copy of a letter I have received from Her Majesty Queen Elizabeth II, asking me to convey to the Members of the House of Representatives her deep appreciation for their sentiments of sympathy and their tribute to the memory of His late Majesty.

Very sincerely yours,
HARRY TRUMAN.

BUCKINGHAM PALACE, May 7, 1952.
THE PRESIDENT OF THE UNITED STATES
OF AMERICA.

Mr. PRESIDENT: I have received your letter dated the 4th day of March, with

1. 98 CONG. REC. 5864, 82d Cong. 2d Sess.

which you sent to me the texts of resolutions directed respectively by the United States Senate to my governments in the United Kingdom of Great Britain and Northern Ireland and in the other countries of the Commonwealth and by the United States House of Representatives to my government in the United Kingdom.

In thanking you for your kindness in forwarding these resolutions and for the personal sympathy which you have expressed toward me in doing so, I request that you will be good enough to convey to the Senate and the House of Representatives my deep appreciation of the sentiments to which they have given expression and of their tributes to the memory of His late Majesty. . . .

Your sincere friend,
ELIZABETH R.

Letters Presenting Gifts to the House

§ 6.5 The Speaker laid before the House a letter from the President transmitting a historic object and suggesting that it might be exhibited in the House.

On June 26, 1942,⁽¹⁾ the Speaker laid the following letter from President Franklin D. Roosevelt before the House:

THE SPEAKER. The Chair lays before the House the following letter from the President of the United States:

THE WHITE HOUSE,
Washington, June 29, 1942.

1. 88 CONG. REC. 5618, 5619, 77th Cong. 2d Sess.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Early this year Mr. John Marshall Gamble of Santa Barbara, Calif., sent to me a very old silver ladle which belonged to Jonathan Dayton, Speaker of the House of Representatives from 1795 to 1799. I thought this might be a very interesting thing for you to have in the House of Representatives to exhibit with my compliments and those of Mr. Gamble. . . .

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

Correction of Error in Presidential Message

§ 6.6 The Speaker laid before the House a communication to the Speaker from the Secretary to the President in which the Secretary to the President set forth a correction to a Presidential message transmitted to the House earlier that day.

On June 29, 1946,⁽¹⁾ Speaker Sam Rayburn, of Texas, laid before the House the following communication:⁽²⁾

THE WHITE HOUSE,
Washington, June 23, 1942

1. 92 CONG. REC. 8014, 8015, 79th Cong. 2d Sess.
2. The House has allowed the President to withdraw certain papers inadvertently included with a written message. See 5 Hinds' Precedents § 6651.

Memorandum for the Speaker:

On page 10 of the Message of the President returning to the House of Representatives today, without approval, H.R. 6042, "An act to amend the Emergency Price Control Act of

On one occasion, the President submitted a message withdrawing proposed rescissions of budget authority submitted under § 1012 of the Impoundment Control Act of 1974 by the previous administration. See 127 CONG. REC. 2219, 97th Cong. 1st Sess., Feb. 17, 1981 (H. Doc. No. 97-19, printed 127 CONG. REC. 2170, Feb. 16, 1981).

1942, as amended, and the Stabilization Act of 1942, as amended, and for other purposes," the date October 1-15, 1946 appears incorrectly in the next to the last paragraph. This date should read October 1-15, 1941 (instead of 1946).

Will you kindly have the official copy and the RECORD corrected accordingly?

CHARLES G. ROSS,

Secretary to the President

The SPEAKER. Without objection, the correction will be made.

There was no objection.

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